

FEDERAL REGISTER

VOLUME 21

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Washington, Tuesday, July 31, 1956

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—FILLING COMPETITIVE POSITIONS

OVERSEAS LIMITED APPOINTMENT

Section 2.308 (c) is amended as set out below.

§ 2.308 *Overseas limited appointment.*

(c) *Appointment of citizens recruited outside overseas areas.* When the Commission determines that unusual or emergency conditions exist so that it is not feasible to appoint from a civil service register, it may authorize agencies to give overseas limited appointments to United States citizens recruited in any area where overseas limited appointments are not authorized.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant.

[F. R. Doc. 56-6151; Filed, July 30, 1956; 8:50 a. m.]

PART 29—RETIREMENT

EXEMPTING CERTAIN OFFICERS AND EMPLOYEES IN EXECUTIVE BRANCH OF GOVERNMENT FROM AUTOMATIC SEPARATION FROM SERVICE

Whereas in the judgment of the United States Civil Service Commission, the public interest requires that certain officers and employees of the Executive branch of the Government be exempted from automatic separation from the service:

Now, therefore, under authority vested in the President by section 204 of the Act of June 30, 1932, and delegated to the United States Civil Service Commission by Executive Order 10530 dated May 10, 1954, it is hereby ordered that:

All officers and employees in the Executive branch of the Government, except Presidential appointees, subject to the Civil Service Retirement Act who reach the retirement age prescribed for automatic separation from the service between July 1, 1956, and September 30, 1956, both dates inclusive, and are not

now exempted therefrom, are hereby exempted from automatic separation from the service until October 31, 1956.

(Sec. 17, 46 Stat. 478, as amended; 5 U. S. C. 709. Interprets or applies sec. 4, 41 Stat. 616, as amended; 5 U. S. C. 709. E. O. 10530, 19 F. R. 2709, 3 CFR, 1954 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant.

[F. R. Doc. 56-6188; Filed, July 30, 1956; 11:31 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 811, Amdt. 3]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

MISCELLANEOUS AMENDMENTS

Basis and purpose. The purpose of Sugar Regulation 811 is to determine, pursuant to section 201 of the Sugar Act of 1948, as amended (hereinafter called the "act"), the amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1956 and to establish, pursuant to sections 202, 204 and 411 of the act, sugar quotas for the supplying areas in terms of short tons of sugar, raw value, equal to the quantity determined by the Secretary of Agriculture to be needed in 1956. This regulation also establishes pursuant to section 207 the quantity of quota that may be filled by direct-consumption sugar and pursuant to section 208, quotas of liquid sugar which may be entered into the continental United States.

The act requires that the Secretary shall revise the determination of sugar requirements at such times during the calendar year as may be necessary. It now appears that an increase in the requirements for the calendar year 1956 is necessary. The purpose of this amendment is to make such determination conform to the requirements indicated on the basis of the factors

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specified in section 201 of the act and to establish quotas in accordance with the provisions of the recently amended act, and to give effect to such quotas.

The quotas established herein differ from those in effect under Sugar Regulation 811, Amendment 2 (21 F. R. 4653). To permit areas for which larger quotas or prorations are hereby established to plan to market in an orderly manner the larger quantity of sugar, it is essential that this amendment be made effective immediately. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), is impracticable, unnecessary and contrary to the public interest. The amendments made herein shall become effective upon publication in the **FEDERAL REGISTER**.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, 65 Stat. 318, 7 U. S. C. 1100, Public Law 545, 84th Congress), and the Administrative Procedure Act (60 Stat. 237), §§ 811.80, 811.81, 811.82, 811.84 (a) and 811.85 (b) (1) of Sugar Regulation 811, as amended (20 F. R. 9848; 21 F. R. 2805, 4653, are further amended to read as hereinafter set forth.

1. Section 811.80 is amended to read:

§ 811.80 *Sugar requirements, 1956.* The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1956 is hereby determined to be 8,625,000 short tons, raw value.

2. Section 811.81 is amended to read:

§ 811.81 *Basic quotas for domestic areas.* There are hereby established, pursuant to subsection (a) of section 202 of the act, for domestic sugar producing

areas for the calendar year 1956 the following quotas:

Area:	Quotas in terms of short tons, raw value
Domestic beet sugar	1,877,894
Mainland cane sugar	573,356
Hawaii	1,052,000
Puerto Rico	1,080,000
Virgin Islands	12,000

3. Section 811.82 is amended to read:

§ 811.82 *Basic quotas for other areas.* There are hereby established, pursuant to subsections (b) and (c) of section 202 of the act, for foreign countries for the calendar year 1956, the following quotas:

Area:	Quotas in terms of short tons, raw value
Republic of the Philippines	980,000
Cuba	2,927,760
Other foreign countries	121,990

4. Paragraph (a) of § 811.84 is amended to read as follows:

§ 811.84 *Proration of quotas for foreign countries other than Cuba and the Republic of the Philippines—(a) Prorations.* Pursuant to subsection (c) of section 202 of the act the 1956 quota for foreign countries other than Cuba and the Republic of the Philippines is hereby prorated, as adjusted to the extent required by section 411 of the act, as follows:

Country:	Prorations as adjusted short tons, raw value
Dominican Republic	34,441
El Salvador	4,141
Haiti	3,333
Mexico	14,281
Nicaragua	7,823
Peru	51,871
Unspecified countries	6,100
Total	121,990

5. Paragraph (b) (1) of § 811.85 is amended to read as follows:

§ 811.85 *Direct-consumption portion of quotas or prorations.*

(b) *Other areas.* (1) Pursuant to subsections (d), (e) and (h) of section 207 of the act, the quotas established in § 811.82 for the following listed areas may be filled by direct-consumption sugar not in excess of the following amount for each such area:

Area:	Direct-consumption sugar short tons, raw value
Republic of the Philippines	59,920
Cuba	375,000
Other foreign countries	41,477

Statement of bases and considerations—Requirements. Under the Sugar Act, as amended, as then in effect, sugar requirements and quotas for 1956 were established in December 1955, totaling 8,350,000 short tons, raw value. This total was increased to 8,450,000 on May 1, 1956. On May 29, 1956, the quota provisions of the act were amended by Public Law 545, 84th Congress. On June 22, 1956, the total of the quotas was increased to 8,575,000 short tons, raw value, and distributed among the various areas

and countries as provided for in the newly amended act.

Since June 22, when the consumption requirements (total quotas) were increased to 8,575,000 tons, the New York price of duty paid, raw sugar has risen from 6.02 cents per pound to 6.15 cents per pound. This increase in price reflects a limitation in currently available supplies of raw sugar for Gulf and East Coast refineries.

Sugar distribution for the year through July 14 amounted to 168,000 tons more than that for the corresponding period last year. The increase in total domestic distribution for the year to date approximates the increase of 175,000 tons in the determination of June 22 over the final total quotas for 1955. However, major changes have occurred in the size of the individual quotas, in distribution from the several areas and in remaining quota supplies.

Combined charges against all quotas for the first six months of 1956 amounted to 4,631,000 tons, an increase of 404,000 tons over the corresponding period of last year. The unfilled quota supplies on June 30 this year amounted to 229,000 tons less than quota charges for the second half of 1955.

During the first six months, marketings of beet processors fell 82,000 tons below those of last year despite the larger beet quota. As a result, beet processors on July 1 had an unfilled quota of 149,000 tons more than their actual marketings in the second half of 1955. As a result of the smaller marketings of beet processors, especially in the North Central States, and of the larger total distribution, greater inroads have been made in supplies of cane sugar.

Marketings of mainland cane sugar during the first half of the year were higher than in 1955 by about as much as the increase made in the mainland marketing quota. Receipts of Hawaiian sugar increased during the first half of this year but there was also a replenishment of stocks which were seriously depleted during the strike period a year ago.

The major change in the supply situation has been the reduction in the quantities remaining to be marketed under quotas after July 1 from the foreign and off-shore areas supplying the Gulf and East Coast. As of July 1, 1956, the unfilled quota balance for Cuba was 208,000 tons below final quota charges for the last half of 1955; the unfilled balance for the Philippines was 70,000 tons lower; and the unfilled balance for Puerto Rico was 44,000 tons lower. The only increase in such remaining quota supplies was that of 16,000 tons for the full duty countries.

Disregarding the change in the Hawaiian situation, the unfilled quota balances as of July 1, 1956, for the foreign and off-shore areas supplying the Gulf and East Coast markets totaled 306,000 tons less than actual quota charges from those areas during the second half of 1955.

The new sugar legislation provides for major changes in the source of sugar supplies. This may require a revision in marketing practices in the various areas. Until the new marketing patterns

become more apparent and dependable, temporary and local shortages and surpluses may develop regardless of the overall balance between supplies and requirements for the year. Naturally, if an area fails to fill its quota or markets sugar in a manner that will diminish its effectiveness in meeting consumer requirements for the year, it will be necessary to provide additional supplies from other areas.

The present action increasing total quotas by 50,000 tons will increase the supply from foreign areas by 22,500 tons, the supply from the beet area by approximately 14,200 tons and the supply from the mainland cane area approximately 13,300 tons. Presumably all of the foreign sugar and part of the supplies from the mainland cane and beet areas could become available promptly. There will be a tendency, however, for some of the increased quotas for the mainland cane and beet areas to be filled only after new-crop supplies become available.

It is believed that this determination of 8,625,000 tons will provide a supply of sugar that will fairly and equitably protect the interests of the domestic producers and consumers.

Quotas. To give effect to the increase in total sugar requirements made effective by this order, amendments have been made to §§ 811.80, 811.81, 811.82, 811.84 and 811.85 of Sugar Regulation 811, pursuant to the respective sections of the act referred to in each of the sections of the regulation. These amendments to the regulation make the following changes: (1) The quotas for domestic areas are increased by 27,500 tons to a total of 4,595,250 tons, with the increase divided 51.5 percent to the Domestic Beet Sugar Area and 48.5 percent to the Mainland Cane Sugar Area; (2) the quotas for foreign countries other than the Republic of the Philippines are increased by 22,500 tons to 3,049,750 tons which is distributed among such foreign countries as provided in sections 202 (c) and 411 of the amended act; (3) the total direct-consumption portion of the quota for foreign countries other than Cuba and the Republic of the Philippines is increased by 306 tons.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153)

Done at Washington, D. C., this 26th day of July 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 56-6162; Filed, July 30, 1956; 8:52 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Plum Order 24]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.549 *Plum Order 24—(a) Findings.* (1) Pursuant to the marketing

agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 31, 1956. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 26, 1956; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 26, 1956, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information were submitted to the Department; shipments of the current crop of such plums are now being made and this regulation, insofar as possible, should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) Order. (1) During the period beginning at 12:01 a. m., P. s. t., July 31, 1956, and ending at 12:01 a. m., P. s. t., November 1, 1956, no shipper shall ship any package or container of Giant plums unless such plums grade at least U. S. No. 1; and

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 5 x 5 standard pack;

(ii) If the plums are packed in a special plum box, they are of a size not smaller than a size that will pack a 7½-row standard pack;

(iii) If the plums are packed in any container other than a standard basket or special plum box, ninety (90) percent, by count, of the plums measure 1½

inches in diameter and of the remainder of the plums none measures less than 1½ inches in diameter: *Provided*, That no lot of plums shall be considered as failing to meet this requirement if one package of such plums contains not more than one (1) percent, by count, of plums that are smaller than 1½ inches in diameter; and

(iv) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: *Provided*, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(3) As used in this section, "U. S. No. 1," "fairly uniform in size," "diameter," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "7½-row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size, and the plums in the top layer are not superior in size to those in the remainder of the pack; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 27, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-6181; Filed, July 30, 1956;
8:53 a. m.]

[Plum Order 25]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

§ 936.550 Plum Order 25—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and

upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 31, 1956. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 26, 1956; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 26, 1956, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information were submitted to the Department; shipments of the current crop of such plums are now being made and this regulation, insofar as possible, should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) Order. (1) During the period beginning at 12:01 a. m., P. s. t., July 31, 1956, and ending at 12:01 a. m., P. s. t., November 1, 1956, no shipper shall ship any package or container of Grand Duke plums unless such plums grade at least U. S. No. 1; and

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 5 x 5 standard pack;

(ii) If the plums are packed in a special plum box, they are of a size not smaller than a size that will pack a 7½-row standard pack;

(iii) If the plums are packed in any container other than a standard basket or special plum box, ninety (90) percent, by count, of the plums measure 1½ inches in diameter and of the remainder of the plums none measures less than 1½ inches in diameter: *Provided*, That no lot of plums shall be considered as failing to meet this requirement if one package of such plums contains not more than one (1) percent, by count, of plums that

are smaller than $1\frac{1}{16}$ inches in diameter; and

(iv) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: *Provided*, That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(3) As used in this section, "U. S. No. 1," "fairly uniform in size," "diameter," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "7 $\frac{1}{2}$ -row standard pack" shall mean that the top layer of the pack contains 56 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 27, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-6182; Filed, July 30, 1956;
8:53 a. m.]

[Plum Order 26]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN
CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.551 Plum Order 26—(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety here-

inafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 31, 1956. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 26, 1956, recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 26, 1956, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about August 2, 1956; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order*. (1) During the period beginning at 12:01 a. m., P. s. t., July 31, 1956, and ending at 12:01 a. m., P. s. t., November 1, 1956, no shipper shall ship any package or container of Late Duarte plums unless such plums grade at least U. S. No. 1; and

(i) If the plums are packed in a standard basket, they are of a size not smaller than a size that will pack a 4 x 5 standard pack;

(ii) If the plums are packed in a special plum box, they are of a size not smaller than a size that will pack a 7-row standard pack;

(iii) If the plums are packed in any container other than a standard basket or special plum box, ninety (90) percent, by count, of the plums measure $1\frac{1}{16}$ inches in diameter and of the remainder of the plums none measures less than $1\frac{1}{16}$ inches in diameter: *Provided*, That, no lot of plums shall be considered as failing to meet this requirement if one package of such plums contains not more than one (1) percent, by count, of plums that are smaller than $1\frac{1}{16}$ inches in diameter; and

(iv) The diameters of the smallest and largest plums in the package or container do not vary more than one-fourth inch: *Provided*, That, a total of not more than five (5) percent, by count, of the

plums in the package or container may fail to meet this requirement.

(2) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(3) As used in this section, "U. S. No. 1," "fairly uniform in size," "diameter," and "standard pack" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "special plum box" shall mean the special plum box set forth in section 828.15 of the Agricultural Code of California; "7-row standard pack" shall mean that the top layer of the pack contains 52 plums which are fairly uniform in size and the plums in the top layer are not superior in size to those in the remainder of the pack; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 27, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-6183; Filed, July 30, 1956;
8:54 a. m.]

PART 943—MILK IN NORTH TEXAS MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 943.0 *Findings and determinations*. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record*. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the North Texas marketing area. Upon the

basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order, as amended, effective not later than August 1, 1956. Any delay beyond that date will seriously threaten the orderly marketing of milk in the North Texas marketing area.

The provisions of the said order are known to handlers. The decision of the Assistant Secretary containing all amendment provisions of this order was issued July 23, 1956. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective August 1, 1956, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c), Administrative Procedure Act, 5 U. S. C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the North Texas marketing area) or more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which

is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (May 1956), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the North Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

Delete § 943.51 (a) (3) and substitute therefor the following:

(3) From the effective date hereof through October 1956 the supply-demand adjustment applicable to the price for Class I milk shall be not less than plus 29 cents.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 26th day of July 1956, to be effective on and after August 1, 1956.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 56-6158; Filed, July 30, 1956; 8:51 a. m.]

PART 973—MILK IN MINNEAPOLIS-ST. PAUL, MINNESOTA, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 973.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price

of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the orders, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order, as amended, effective not later than August 1, 1956. Since this amendment effects certain changes in the base rules, it is necessary to make this order amending the order, as amended, effective on August 1, 1956, the date on which the base-forming period begins. The changes effected by this order amending the order, as amended, do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing, it is found that good cause exists for making this order effective August 1, 1956 (see sec. 4 (c), Administrative Procedure Act, 5 U. S. C. 1003 (c)).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Minneapolis-St. Paul, Minnesota, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (May 1956) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 973.17 by deleting the words "on which the milk was produced" at the end of said section.

2. Amend § 973.75 to read as follows:

§ 973.75 *Determination of base for each producer.* (a) Any producer who delivers milk to a pool plant during the delivery periods of July, August, September and October shall have a daily base computed by the market administrator to be applicable during the following January through June equal to the total pounds of milk delivered in the four-month period divided by the number of days of production represented by such deliveries during such period but not less than 90: *Provided*, That for the year 1956 such base-forming period shall be the delivery periods of August, September and October and the base of a producer shall be determined by dividing his total deliveries during such three-month period by the number of days of production represented by such deliveries but not less than 78, and

(b) Any producer not eligible to receive a base pursuant to the provisions of paragraph (a) of this section shall have a base for each of the months of January through June equal to 30 percent of such producer's deliveries to a pool plant during such month.

3. Delete § 973.76 and substitute therefor the following:

§ 973.76 *Establishing new bases.* Any producer for whom a base has been established pursuant to § 973.75 (a) may relinquish such base for the following base-paying period by notifying the market administrator prior to December 31. The daily base of such producer shall then be determined pursuant to § 973.75 (b).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 26th day of July 1956, to be effective on and after the 1st day of August 1956.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 56-6160; Filed, July 30, 1956; 8:52 a. m.]

PART 1002—MILK IN GREATER WHEELING, WEST VIRGINIA, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended (7 CFR Part 1002), regulating the handling of milk in the Greater Wheeling, West Virginia, marketing area, herein-after referred to as the "order", it is hereby found and determined that:

(a) The provision "application to the market administrator and a subsequent" of § 1002.61, and the provision "unless a greater volume of Class I milk is disposed of from such plant to retail or wholesale outlets (except pool plants or nonpool plants) in the Greater Wheeling marketing area than in the

marketing area regulated pursuant to such order;" of § 1002.61 (a), will not tend to effectuate the declared policy of the act for the period from August 1, 1956, until further notice. These provisions prohibit the determination by the Secretary that a plant regulated under another Federal order shall be considered a nonpool plant under the Greater Wheeling order if a greater volume of Class I milk is disposed of to retail or wholesale outlets in the Greater Wheeling area than in the marketing area pursuant to such other order, or if the handler does not request regulation under the other order. These limitations on the discretion of the Secretary to determine that a plant otherwise subject to both the Greater Wheeling and the Cleveland Federal milk orders shall be regulated under the Cleveland order, will jeopardize the interests of certain dairy farmers who are producers under the Cleveland order. These dairy farmers deliver milk to a plant currently a pool plant under the Cleveland order which is operated by their cooperative association. This plant is the sole supply of another plant which sells Class I milk in both the Cleveland and Greater Wheeling marketing areas, the volume of these sales in the Greater Wheeling marketing area being larger than in the Cleveland marketing area. If the latter plant is regulated as a pool plant under this order, the handler operating it will be relieved of the obligation currently imposed on him under the Cleveland order to pay minimum prices of that order to the cooperative association which supplies him with milk, and the pool plant status of the cooperative plant under the Cleveland order might be lost without such plant qualifying as a Greater Wheeling pool plant. Such a situation would create confusion among the dairy farmers supplying the cooperative plant with respect to their status under the Cleveland order. It is necessary that the above described limitations on the discretion of the Secretary be removed in order to avoid these results. It is found, therefore, that the provisions of the Greater Wheeling order cited herein, specifically the provisions "application to the market administrator and a subsequent" of § 1002.61 and the provision "unless a greater volume of Class I milk is disposed of from such plant to retail or wholesale outlets (except pool plants or nonpool plants) in the Greater Wheeling marketing area than in the marketing area regulated pursuant to such order;" of § 1002.61 (a) should be suspended for the period from August 1, 1956, until further notice.

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof, are found to be impracticable, unnecessary, and contrary to the public interest for reasons stated under (a) above and in that:

1. The information upon which this action is based did not become available in time sufficient for such compliance;

2. This suspension order would remove the requirement that the Secretary's determination of which Federal order shall regulate a plant otherwise subject to the Greater Wheeling order

and another Federal milk order must be made solely on the basis of the proportion of Class I milk disposed of in the respective markets;

3. This suspension order follows a specific request by the handler who will be immediately affected thereby. The handler requests that action to keep him subject to the Cleveland order rather than to the Greater Wheeling order be made effective as of August 1, 1956; and

4. This action is necessary to facilitate and maintain the orderly marketing of milk between regulated markets.

It is therefore ordered, That the provision "application to the market administrator and a subsequent" of § 1002.61, and the provision "unless a greater volume of Class I milk is disposed of from such plant to retail or wholesale outlets (except pool plants or nonpool plants) in the Greater Wheeling marketing area regulated pursuant to such order;" of § 1002.61 (a) be and hereby are suspended during the period August 1, 1956 until further notice.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 26th day of July 1956, to be effective as of August 1, 1956.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 56-6159; Filed, July 30, 1956; 8:51 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6435]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

RAVEL PERFUME CORP. ET AL.

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Producer status of dealer or seller: Manufacturer; § 13.155 Prices: Exaggerated as regular and customary; § 13.235 Source or origin: Place: Domestic product as imported. Subpart—Misbranding or mislabeling: § 13.1280 Price; § 13.1325 Source or origin: Place: Domestic product as imported. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1530 Producer status of dealer; [Misrepresenting oneself and goods]—Prices: § 13.1805 Exaggerated as regular and customary.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Ravel Perfume Corp. (New York City) et al., Docket 6435, July 21, 1956]

In the Matter of Ravel Perfume Corporation, a Corporation; Merchandise Purchasing Corporation, a Corporation; and Harry Swanson and Louis D. Maurer, Individually and as Officers of Said Corporations

This proceeding was heard by a hearing examiner on the complaint of the Commission—charging two corporations

and their common officers, with offices in New York City and Rego Park, Long Island, with ticketing their perfumes, colognes, and toilet waters and containers thereof with fictitious prices, publishing advertisements showing excessive amounts as the usual prices of certain of their products, furnishing facsimiles of newspaper advertisements to dealers which represented falsely that various retail stores were currently selling their products at the prices set out; representing in advertising and on certain products and their cartons that the products were compounded in France and that the essences used in compounding them were imported; and charging one of said corporations and its officers with misleading use of the word "Manufacturers" on advertising circulars and invoices—and an agreement between counsel containing a consent order to cease and desist.

On this basis the hearing examiner made his initial decision, including order to cease and desist, which by order of June 29 became on July 21 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Ravel Perfume Corporation, a corporation, Merchandise Purchasing Corporation, a corporation, and their officers, and Harry Swanson and Louis D. Maurer, individually and as officers of said corporations, their agents, representatives and employees, directly or through any corporate or other device, in connection with the sale, offering for sale, sale and distribution of perfumes, colognes, toilet waters and allied products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing on price tags attached to their products, in advertisements or in any other manner that certain amounts are the regular and usual retail prices of their products when such amounts are in excess of the prices at which said products are usually and customarily sold at retail;

2. Representing in any manner or furnishing to their dealers any means or instrumentality by and through which said dealers may represent that their products, or any of them, are currently being displayed or sold by any specified store or class of stores at any designated prices, when such is not the fact;

3. Using the words or terms "The Favorite of Fashionable Paris", "As French as the Champs Elysee", "Design Created in Paris", or any other terms indicative of France, in advertising products not compounded in France; or otherwise representing, directly or by implication, that such products are compounded in or imported from France;

4. Using the words "La Vie en Rose", or any other words indicating French origin, as brand or trade names for perfumes, colognes or toilet water compounded in the United States, without clearly and conspicuously stating, in immediate connection and conjunction therewith, that such products are compounded in the United States;

5. Representing that said products contain imported essences unless it is

clearly and conspicuously disclosed in immediate connection therewith that not all of the essences are so imported, when such is the fact.

It is further ordered, That respondent Ravel Perfume Corporation, a corporation, and Harry Swanson and Louis D. Maurer, individually and as officers of said corporation, their agents, representatives and employees, directly or through any corporate or other device, in connection with the sale, offering for sale, sale and distribution of perfumes, colognes and other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from: Representing that they manufacture the products sold by them, when such is not the fact.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Ravel Perfume Corporation, a corporation; Merchandise Purchasing Corporation, a corporation; and Harry Swanson and Louis D. Maurer, individually and as officers of said corporations, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 29, 1956.

By the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-6152; Filed, July 30, 1956;
8:50 a. m.]

[Docket 6517]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

SATTLE'S, INC.

Subpart—*Advertising falsely or misleadingly*: § 13.30 *Composition of goods*: Fur Products Labeling Act; § 13.135 *Nature: Product or service*: § 13.155 *Prices: Comparative*: § 13.285 *Value*. Subpart—*Misbranding or mislabeling*: § 13.1190 *Composition*: Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: Fur Products Labeling Act; § 13.1260 *Nature*. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1845 *Composition*: Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: Fur Products Labeling Act; § 13.1870 *Nature*: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; Sec. 8, 65 Stat. 179; 15 U. S. C. 45, 69f) [Cease and desist order, Sattler's, Inc., Buffalo, N. Y., Docket 6517, July 18, 1956]

This proceeding was heard by a hearing examiner on the complaint of the Commission—charging a Buffalo corporation with violating the Fur Products Labeling Act by failing to label the fur products it sold and to include on labels information as required by the act; by advertisements in newspapers which failed to name the animals producing

particular furs and which misrepresented savings and values possible to purchasers; and by failing to maintain adequate records on which such purported savings and values were based—and an agreement containing consent order to cease and desist.

On this basis, the hearing examiner made his initial decision, including order to cease and desist, which, by order of June 29, became, on July 18, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Respondent, Sattler's, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product, or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which has been made in whole or in part of fur which had been shipped and received in commerce, as "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such product was manufactured;

2. Failing to affix labels to fur products showing: (a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is a fact;

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is a fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is a fact;

(e) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce;

(f) The name of the country of origin of any imported furs used in the fur product;

3. Setting forth on labels attached to fur products:

(a) Required information in abbreviated form or in handwriting;

(b) Nonrequired information mingled with required information;

B. Falsely or deceptively advertising fur products, through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

1. Fails to disclose the name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

2. Represents, directly or by implication:

(a) That the regular or usual price of any fur product is any amount which is in excess of the price at which the respondent has usually and customarily sold such products in the recent regular course of its business;

(b) The value of fur products, when such claims and representations are not true in fact;

3. Makes use of comparative prices or percentage savings claims unless such compared prices or claims are based upon the current market value of the fur product or upon a bona fide compared price at a designated time;

4. Makes price claims and representations of the type referred to in subparagraphs 2 (a) and (b) and paragraph 3 above, unless there are maintained by Respondent full and adequate records disclosing the facts upon which such claims or representations are based, as required by Rule 44 (e) of the rules and regulations.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Sattler's, Inc., a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: June 29, 1956.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-6153; Filed, July 30, 1956;
8:51 a. m.]

[Docket 6510]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

AMITY MILLS, INC.

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Exclusive or sole distributor; Unique or special status or advantages; § 13.280 Unique nature or advantages. Subpart—Using misleading name—Vendor: § 13.2445 Producer or laboratory status of dealer or seller.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Amity Mills, Incorporated, New York, N. Y., Docket 6510, July 21, 1956]

This proceeding was heard by a hearing examiner on the complaint of the Commission—charging a corporation,

engaged in New York City in selling cotton and other fabrics, with misleading use of the word "Mills" in its corporate name and with representing falsely in advertising that certain fabrics it imported from Italy were manufactured exclusively for it—and an agreement between the parties containing consent order to cease and desist.

On this basis, the hearing examiner made his initial decision and order to cease and desist which, by order of June 29, became on July 21 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent, Amity Mills, Incorporated, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of cotton and other fabrics in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly:

1. Using the word "Mills" or any other word of similar import or meaning in or as a part of respondent's trade or corporate name, or representing in any other manner that respondent is the manufacturer of the fabrics sold by it unless and until respondent actually owns and operates, or directly and absolutely controls the manufacturing plant wherein said fabrics are woven or made;

2. Using the words "Manufactured for" or "Distributor" separately or in combination one with the other, or any other word or words so as to represent in any manner that it is the exclusive or sole distributor of any fabric sold by it, unless and until such is a fact.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Amity Mills, Inc., a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: June 29, 1956.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-6154; Filed, July 30, 1956;
8:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter B—Food and Food Products

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

TOLERANCES FOR RESIDUES OF DDT

A petition was filed with the Food and Drug Administration requesting the es-

tablishment of tolerances for residues of DDT in or on sweetpotatoes and the fat of meat from cattle, hogs, sheep, and goats. The request for tolerances for residues of DDT in the fat of meat was withdrawn without prejudice to a future filing.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2), 68 Stat. 512; 21 U. S. C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7 (g)), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120) are amended by adding the following new section:

§ 120.142 Tolerance for residues of DDT. A tolerance of 7 parts per million is established for residues of DDT (dichlorodiphenyl-trichloroethane) in or on sweetpotatoes, from postharvest use.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies sec. 408, 68 Stat. 511; 21 U. S. C. 346a)

Dated: July 26, 1956.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 56-6142; Filed, July 30, 1956;
8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 713—NAVAL RESERVE

MISCELLANEOUS AMENDMENTS

1. Sections 713.11, 713.12, 713.13 and 713.14 are amended to read as follows:

§ 713.11 Purpose and responsibility. (a) The purpose of the inspection of Naval Reserve activities is to determine the preparedness of the Naval Reserve to

meet the requirements in the event of war or national emergency.

(b) The Chief of Naval Personnel is responsible for the inspection of all activities of the Naval Reserve, except those Naval Reserve aviation activities under the cognizance of the Chief of Naval Air Reserve Training.

(c) Each commandant is responsible to the Chief of Naval Personnel for the inspection of all Naval Reserve activities under his supervision.

(d) Inspections of Naval Reserve aviation activities under the supervision of the Chief of Naval Air Reserve Training are performed in accordance with instructions prescribed by the Deputy Chief of Naval Operations (Air).

§ 713.12 Composition of and assignment to Naval Reserve inspection boards.

(a) Naval Reserve inspection boards shall include a senior inspection and reviewing board, known as the National Naval Reserve Inspection Board, convened within the Bureau of Naval Personnel; district Naval Reserve inspection boards, convened in each naval district and river command; and such additional inspection boards as the Deputy Chief of Naval Operations (Air) may establish for the inspection of Naval Reserve aviation activities.

(b) The National Naval Reserve Inspection Board shall consist of as many officers, both Regular and Reserve, as are required to perform its functions, and will include sub-boards if necessary. At least three (3) members of this board, including the senior member, shall be officers of the line. Where appropriate, Staff corps and officers administering special programs should be represented on the Board.

(c) The district Naval Reserve inspection boards shall be similar in composition to the National Naval Reserve Inspection Board.

(d) Members of the National Naval Reserve Inspection Board will be assigned to this duty by the Chief of Naval Personnel. Chiefs of bureaus and heads of offices in the Navy Department shall be consulted as to the assignment to this Board of officers to represent bureaus and offices concerned. Members of district Naval Reserve inspection boards shall be assigned by the commandant concerned.

§ 713.13 Procedure for Naval Reserve inspections. (a) Inspections of Naval Reserve drilling units shall cover the following applicable areas:

- (1) Personnel.
- (2) Training.

- a. Administration.
- b. Instruction.
- c. Use of material aids.
- d. Effectiveness.

(3) Administration.

- a. Organization.
- b. Enlisted service records.
- c. Classification.
- d. Personnel Accounting Records.
- e. Competition analysis.
- f. Other records and reports.
- g. Medical.
- h. Supply and reserve clothing.
- i. Community relations.
- j. Welfare and recreation.

(4) Outlook.

a. Future potentialities.

(b) Inspection of Training Centers and Facilities shall cover the following applicable areas:

- (1) Personnel.
- (2) Administration.

a. Organization, instructions, emergency plans.

- b. Records, files, correspondence.
- c. Publications.
- d. Security.
- e. Fire prevention and safety.
- f. Supply and logistic matters.
- g. Communications.
- h. Welfare and recreation.
- i. Community relations.

(3) Material.

- a. Office, classroom and shop spaces.
- b. Office, classroom and shop equipment.
- c. Fire fighting equipment.
- d. Ordnance.
- e. Automotive equipment.
- f. Building and grounds upkeep.
- g. Library.
- h. Medical spaces.

(c) The following standard grades shall be assigned:

Term	Symbol	Definition
Outstanding.....	O	No superior in the Program to the knowledge of the Inspector.
Excellent.....	E	No vital and few minor deficiencies. So markedly above the required minimum to be among the few best.
Good.....	G	Possibly some deficiencies, but no critical ones. Above the minimum required standards.
Satisfactory.....	S	At or required minimum standards. Capable of performing assigned functions.
Unsatisfactory..	U	Below minimum standards in general or vital particulars.

(d) The National Naval Reserve Inspection Board shall prepare and submit annually to the Chief of Naval Personnel a report of its activities, which shall include comments on the state of training and preparedness of the Naval Reserve. The Chief of Naval Personnel will transmit this annual report with appropriate recommendations to the Secretary of the Navy via the Chief of Naval Operations.

(e) The National Naval Reserve Inspection Board will review the reports of inspections conducted by the commandants in accordance with the provisions of § 713.14, and shall make comments and recommendations thereon to the Chief of Naval Personnel.

§ 713.14 Duties of district Naval Reserve inspection boards. (a) District Naval Reserve inspection boards shall conduct annual inspections of all organizations of the Naval Reserve except activities located in areas remote from Naval Reserve training centers, and activities whose composition, size, infrequency of meetings, and other characteristics, as determined by commandants, render a formal inspection unwarranted.

(b) A separate report shall be made on each organization inspected and such reports shall be submitted to the commandant concerned. As of June 30,

each year, the commandants shall submit to the Chief of Naval Personnel a summary report of the Naval Reserve for the fiscal year in each district. Such summary reports shall include items of merit, items of deficiency, district problems, listings of outstanding organizations, listings of unsatisfactory organizations, recommendations for commendation and recommendations for the overall improvement of the Naval Reserve. The report shall include comments concerning each program.

(c) The commandants shall promulgate such inspection guides and/or instructions deemed necessary to carry out the provisions of § 713.13 (a) and (b). They shall be in sufficient detail to reflect compliance with current policy and instruction.

2. Section 713.42 (d) and (e) are amended and § 713.42 (f) is inserted to read as follows:

(d) Establishment of non-pay programs. The Chief of Naval Personnel, with approval of the Chief of Naval Operations, may establish and disestablish non-pay programs as he deems to be in the best interest of the Naval Reserve program.

(e) Establishment of non-pay units. Authority to activate and deactivate units within established non-pay programs is the responsibility of the Chief of Naval Personnel who may further delegate this authority to the commandants of the naval districts and river commands under such rules as he may prescribe.

(f) Organization of non-pay units. Non-pay units of the Naval Reserve shall be known as companies, platoons or schools as specified in the Tables of Organization.

3. Section 713.211 is amended to read as follows:

§ 713.211 Mailing address. (a) Mailing address is defined as the address at which a member of the Naval Reserve can be reached quickly at any time by ordinary mail.

(b) A member of the Naval Reserve shall keep the cognizant naval command informed of his mailing address. When a change in address occurs, it is incumbent upon the individual concerned to notify the custodian of his records of the new mailing address, specifying whether permanent or temporary. If he is attached to a Naval Reserve organization, such notification shall be via the commanding officer of the organization.

(c) In case of a temporary change of residence of six months or less, the member of the Naval Reserve both at the beginning and at the end of the temporary residence shall inform the custodian of his record of his temporary address, if mail cannot be delivered promptly by means of the existing mailing address.

(d) Instructions governing the transfer of the records of a member of the Naval Reserve incident to a change of mailing address are contained in § 713.214 for officers and in Part B, Chapter 2, Section 3 of the Bureau of Naval Personnel Manual for enlisted personnel.

4. Section 713.214 is amended to read as follows:

§ 713.214 *Officer Service Record for inactive officers.* (a) The Officer Service Record (Form NAVPERS-3021) consists of a file folder bearing the name and file number of the individual and is in addition to the record and file maintained in the Bureau of Naval Personnel in accordance with articles B-2201 and B-2202 of the Bureau of Naval Personnel Manual.

(b) The purpose of the Officer Service Record is to provide a ready file of documents from which information required to properly assign and administer officers may be obtained and salient facts relative to naval service may be established. Adverse information shall not be filed in the record.

(c) Instructions contained in the section govern the administration of the Officer Service Record for inactive officers who, for purposes of this section, are defined as officers of the Naval Reserve on inactive duty, retired officers of the Navy and Naval Reserve on inactive duty including officers on the temporary physical disability retired list, and officers of the Naval Fleet Reserve on inactive duty. Instructions printed in the Officer Service Record conflicting with the provisions of this section shall be disregarded. Instructions governing the administration of the Officer Service Record for active officers are contained in article B-2207 of the Bureau of Naval Personnel Manual.

(d) An Officer Service Record shall be maintained for each officer in the Ready Reserve (USNR-R) or Standby Reserve Active (USNR-S1) on inactive duty for those officers on whom one has been opened in accordance with paragraph (e) of this section.

(e) An Officer Service Record shall be opened for each officer in the Standby Reserve Inactive (USNR-S2) on whom it has not previously been opened, under the following circumstances: Upon transfer to the Ready Reserve or Standby Reserve Active; upon transfer to another command; or upon being ordered to active duty. An Officer Service Record shall be opened for each retired officer of the Navy and Naval Reserve on inactive duty and for each officer in the Naval Fleet Reserve on inactive duty on whom it has not previously been opened, only upon transfer from one command to another. Where a change of command is involved, the command losing jurisdiction will open the record to insure that only the Officer Service Record is transferred between commands. To open an Officer Service Record in this instance, the Administrative File and the Officer's Qualification Record Jacket shall be drawn and their contents compared with the contents of the Officer Service Record. Where documents contained in the Administrative File or Officer's Qualification Record Jacket are not duplicated in the Officer Service Record, they should be placed in the Officer Service Record provided they contain essential facts pertinent to the officer's service and/or supply necessary mobilization data. All duplicate or nonessential documents shall be destroyed (for

example, change of address notification subsequently superseded and copies of Personnel Accounting Cards, Form NAVPERS-500). Copies of the Annual Fitness Report—Naval Reserve Officers on Inactive Duty (Form NAVPERS-937), letters of reference obtained when the officer first applied for commission, investigative material, and other similar pre-commissioning material shall not be included in the Officer Service Record but shall be destroyed. However, care must be exercised not to destroy documents which establish essential facts and service which are not duplicated elsewhere (for example, fully endorsed copies of orders to active duty for training). When an Officer Service Record has been opened in accordance with these provisions, no other record or file shall be maintained except as provided in paragraph (1) of this section.

(f) When an officer of the Naval Reserve is originally appointed, the record will be opened by the activity which administers the acceptance and oath of office and forwarded to the command having responsibility for the administration of the inactive officer, i. e., the commandant, command or Fleet or Force Commander in whose jurisdiction the officer intends to reside. If the officer is ordered to active duty, the record will be given to him for delivery to his new duty station or forwarded by expeditious means. Information concerning the opening of the Officer Service Record in this instance is contained in instruction 341.1 of the Recruiting Service Manual.

(g) For inactive officers (except those officers participating in a training program under the cognizance of the Chief of Naval Air Reserve Training), the Officer Service Record will be maintained by the command having mobilization responsibility, i. e., the commandant, command, or Fleet or Force Commander in whose jurisdiction the officer reports his mailing address. This rule applies regardless of the fact that the officer is attached to or associated with a Pay Unit of the Naval Reserve. For inactive officers participating in a training program under the cognizance of the Chief of Naval Air Reserve Training the Officer Service Record will be maintained by the Commanding Officer of the Naval Air Station or Naval Air Reserve Training Unit having responsibility for the training program.

(h) When an officer is ordered to active duty, except active duty for training, or transfers to another command, the command maintaining the record shall forward the Officer Service Record to the Commanding Officer of the ship or station where the duty is to be performed or to the command gaining jurisdiction. The record may be given to the officer concerned for delivery or may be mailed. A temporary change of mailing address from the jurisdiction of one command to another of six months or less does not constitute a need for transfer of records. The Officer Service Record shall not be forwarded or taken with an officer when he is ordered to active duty for training. When an officer travels or resides abroad for periods in excess of six months the Officer Service Record shall

be forwarded to the command gaining jurisdiction in accordance with § 713.211.

(i) Instructions governing the information and documents to be included in the Officer Service Record are contained in paragraph (7) of article B-2207 of the Bureau of Naval Personnel Manual.

(j) When an officer reporting or transferring to a new command does not, for any reason, have his Officer Service Record, it is the responsibility of the command gaining jurisdiction to obtain the missing record from the previous command. Indiscriminate reconstruction of records is prohibited either on a temporary or permanent basis to insure that only one command maintains an Officer Service Record. Every conceivable effort shall be made to locate the record. However, if it cannot be obtained from any source, it is the responsibility of the command gaining jurisdiction to address a letter to the Chief of Naval Personnel requesting authority to reconstruct a record and verification that the officer is in good standing in the Navy. This letter shall contain a statement as to which commands have been contacted in an attempt to obtain the record. When reconstruction is authorized, the personal records of the officer concerned should be utilized insofar as possible. Where documents necessary for adequate reconstruction cannot be obtained from or reconstructed by the officer, they should be requested from the Chief of Naval Personnel. Requests for such documents should be limited to those considered essential for adequate reconstruction. For example, qualification data contained on Forms NAVPERS-3031, 309, 310C, and 319 may be replaced by the officer completing a new Officer's Qualifications Questionnaire (Form NAVPERS-309).

(k) When an officer is discharged, dismissed, resigns his commission, or reverts to enlisted status, his Officer Service Record will be brought up to date and delivered to him. The record shall be reviewed prior to delivery, however, and letters of reference obtained when the officer first applied for commission, investigative material, and similar precommissioning material should be removed and destroyed. On the death of an inactive officer the record will be marked "deceased" and forwarded to the Chief of Naval Personnel.

(l) Commanding Officers of Pay Units and the Chief of Naval Air Reserve Training may establish temporary files necessary for the administration of those officers attached to or associated with their command. However, temporary files shall be destroyed when the officer transfers to another unit, is ordered to active duty, is detached from the unit or the cognizance of the Chief of Naval Air Reserve Training. The Officer Service Record folder (Form NAVPERS-3021) shall not be used as the temporary file. The temporary file shall not be forwarded or taken with the officer when he is ordered to active duty for training.

(m) Instructions governing the release of information from and access to Officer Service Records are contained in paragraph (11) of article B-2207 of the Bureau of Naval Personnel Manual.

5. Section 713.215 is amended to read as follows:

§ 713.215 *Armed Forces Identification Card, DD Form 2N (Inactive)*. (a) A red-printed card designated DD Form 2N (Inactive) shall be issued, in accordance with the provisions of this section and paragraphs (1), (7), (8), (10), (11), (13), and (14), of article B-2103 of the Bureau of Naval Personnel Manual, to the following: Members of the U. S. Naval Reserve on inactive duty; retired members of the U. S. Naval Reserve, including those on the Reserve Temporary Disability Retired List; Regular NROTC Midshipmen; and, Merchant Marine Midshipmen, USNR.

(b) Contract NROTC students, who do not hold military status, will not be issued an Armed Forces Identification Card.

(c) The DD Form 2N (Inactive) shall be issued without a photograph. In lieu of a photograph, additional descriptive data such as sex, scars, etc., shall be included in the space provided for the photograph. Lamination of the DD Form 2N (Inactive) is not required.

(d) In issuing a card to retired personnel of the U. S. Naval Reserve enter the official abbreviation for retired (RET) in the space carrying the grade on the front of the card, and enter the word "RETIRED" across the warning on the back of the card.

(e) When the activity issuing the DD Form 2N (Inactive) does not hold the applicant's service record, a written request for the card shall be obtained from the applicant. This request shall include the applicant's full name, grade or rating, file or serial number, home address and, if appropriate, the certification required by paragraph (10) of article B-2103 of the Bureau of Naval Personnel Manual. The issuing activity will then complete a DD Form 2N (Inactive) for the applicant except for signature of issuing officer and date of issue. The partially completed card and the written request obtained from the applicant shall be forwarded to the activity holding the applicant's service record. This activity will verify the applicant's status, validate the card, file the written request in the service record and mail the card directly to the applicant.

(f) The DD Form 2N (Inactive) will be issued by those activities enumerated in paragraph (11) of article B-2103 of BuPers Manual, Professors of Naval Science, Heads of Departments of Naval Science, Commanding Officers of Naval Reserve Training Centers, and Commanding Officers of Pay Units of the Naval Reserve.

(g) Identification Cards, DD Form 2N (Inactive) may be procured by issuing activities, without charge, from the nearest district printing and publications office. The cards are numbered serially and will be accounted for in blocks.

6. Present §§ 713.216 to 713.219 have been renumbered §§ 713.217 to 713.220 to include the following new section:

§ 713.216 *Geneva Conventions Identification Card*. (a) The Geneva Conventions Identification Card, DD Form 528, shall be issued to reserve personnel on

active duty, excluding active duty for training, in accordance with the provisions of article B-2104 of BuPers Manual.

7. Section 713.221 has been added as follows:

§ 713.221 *Annual report of retirement and promotion credits earned*. (a) Officers of the Ready and Standby Reserve may obtain an annual report of retirement credits earned and promotion credits earned in grade from the Reserve Officer Performance Recording Activity, Omaha, Nebraska.

(b) This report will not be furnished officers in the Retired Reserve since they cannot earn retirement points while on inactive duty and the report furnished just prior to retirement remains current for all practical purposes.

(c) The annual report will contain the following information: (1) Retirement points earned for previous anniversary year; (2) years of satisfactory Federal service and retirement points earned subsequent to July 1, 1949; (3) total years of satisfactory Federal service; and, (4) promotion points earned in grade.

(d) Retirement points earned prior to July 1, 1949 increase the amount of retired pay; however, they do not affect the computation of years of satisfactory Federal service since all honorable service in an accredited component of the Armed Forces prior to July 1, 1949 is satisfactory Federal service regardless of points earned. Therefore, due to administrative cost, officer records will not be researched to determine total cumulative retirement points earned prior to July 1, 1949 until the officer concerned has completed twenty years of satisfactory Federal service.

(e) The annual report will be furnished only once each year in response to an annual request. Form NAVPERS-534 should be used for requesting this report. This form may be obtained from Naval District Headquarters, Naval Reserve Training Centers, Naval Air Stations, and Naval Air Reserve Training Units. While it is desirable that all requests for the annual report be submitted on Form NAVPERS-534, a letter request will suffice in those cases where it is impractical to obtain the form.

(f) Requests should not be submitted until four months after the termination of the anniversary year as complete participation for that year is not recorded before that date. These requests will be answered as time permits during the reserve officer's ensuing anniversary year and will indicate retirement and promotion points credited as of his last anniversary date. Follow-up requests for this information shall not be made as it will serve only to delay processing requests already received.

(g) If a discrepancy between the personal records of the officer and the annual report exists, the following action will be taken for reconciliation.

(1) For active duty or active duty for training, the officer concerned should submit certified copies of orders with all endorsements to the Reserve Officer Performance Recording Activity.

(2) For drills, the officer concerned should check first with units in which there has been drill attendance during

the period in question to resolve discrepancies. If drills are not properly recorded at the Reserve Officer Performance Recording Activity, the appropriate commanding officer should submit a certified copy of Form NAVPERS-1259, Quarterly Naval Reserve Drill Report, clearly marked "SUPPLEMENTAL" or "CORRECTED", showing drills attended. This report should be sent via the District Commandant or the Chief of Naval Air Reserve Training, as appropriate. Upon receipt of this document the Reserve Officer Performance Recording Activity will adjust its records accordingly.

(3) For correspondence courses, if a certificate has been received, the officer concerned should submit a certified copy to the Reserve Officer Performance Recording Activity. If a certificate has not been received, the officer concerned should address an inquiry to U. S. Naval Correspondence Course Center, Brooklyn, New York, for courses administered by that center, or to the cognizant activity administering the correspondence course. (See articles D-4102 and D-4108 of the BuPers Manual.)

8. Section 713.222 is being added to read as follows:

§ 713.222 *U. S. Naval Reserve Retired Privilege Card*. (a) The U. S. Naval Reserve Retired Privilege Card, Form NAVPERS-696, is issued to identify those members of the Naval Reserve who are retired with pay. When presented in conjunction with the Armed Forces Identification Card, DD Form 2N, it will serve to identify the holder as eligible for the privileges of the following, subject to the limitation of available facilities and local regulations of commanding officers: Navy exchanges, small stores, officers' clubs, enlisted clubs, armed services exchanges, commissary stores, and hospitalization (inpatient and outpatient treatment as medical facilities).

(b) The privilege card is authorized for issuance to members of the U. S. Naval Reserve retired with pay, including those members on the Temporary Physical Disability Retired List. Former Naval Reserve personnel receiving compensation in a civilian status under Title 34, United States Code, Section 4401 for completion of 20 years' satisfactory Federal service, are not entitled to a privilege card since they are not retired members of the U. S. Naval Reserve.

(c) Privilege cards will be issued to eligible personnel by activities which are authorized and equipped to issue Armed Forces Identification Cards. A supply of blank privilege cards may be obtained, without charge, by issuing activities making letter request to the Chief of Naval Personnel.

(d) Application for the privilege card shall be made at the nearest issuing activity. Naval district headquarters will verify that the applicant has been placed on the retired list with pay through examination of retirement orders and personnel records available in the district. Other issuing activities will request the commandant of the naval district in which the applicant resides to verify that the applicant has been placed on the retired list with pay. All issuing activities will verify the entitlement of officers on

the Temporary Physical Disability Retired List through examination of retirement orders produced by the officer.

(e) Photographic and lamination equipment used for issuing Armed Forces Identification Cards shall be used in the preparation of privilege cards. A typewriter shall be used for entering the data on the card. Most entries on the card are self-explanatory; however, the following instructions apply in completing the items given:

(1) *Grade*. Enter official abbreviation of grade or rate, and corps for all staff officers.

(2) *Photograph*. Photographs shall be approximately 1 by 1½ inches, full face, uncovered. File or service number shall appear in photograph together with full name. Since lamination tends to fade them, photographs should be developed somewhat darker than usual.

(3) *Signature of issuing officer*. Any officer specifically designated by the commandant or commanding officer may sign these cards. The signature indicates that the data on the card has been verified at time of preparation.

(f) Commandants and commands shall designate an officer or officers who shall be responsible for performing the following functions, which are designed to insure maximum security and accountability of blank privilege cards:

(1) Approve all requests made to the Chief of Naval Personnel for a supply of blank cards.

(2) Upon receipt of shipment, record the serial numbers of the cards.

(3) Afford cards adequate stowage to meet the requirements of article 0602, OpNav Instruction 5510.1A for one confidential document.

(4) Maintain a log of the final disposition of each card in serial number sequence indicating name and file or service number of individual to whom issued.

(5) Destroy all cards not issued because of spoilage.

(6) When blank cards cannot be accounted for, the circumstances shall be investigated and the Chief of Naval Personnel informed of the serial numbers of the missing cards and of the action taken.

(g) Any person altering, damaging, lending, counterfeiting, or using this card in any unauthorized manner, is subject to the penalties prescribed under Title 18, United States Code, Sections 499, 506, 701, or 1002.

9. Section 713.223 is being added to read as follows:

§ 713.223 *Enlisted Service Record*. (a) The Enlisted Service Record, NavPers 601, shall be opened and maintained for each person enlisted, re-enlisted, or inducted in the Naval Reserve. Complete instructions regarding the enlisted service record are contained in Part B, Chapter 2, Section 3 of the Bureau of Naval Personnel Manual.

10. Section 713.515 (b) (3) is amended to read as follows:

(3) Conducted not more frequently than specified by the Chief of Naval Personnel for each type of organization. Not more than 3 drills may be conducted

in any one day or in any one calendar week. Not more than 2 of these drills in any one day may be paid drills. When more than one paid drill is conducted within one calendar day, each such paid drill shall be of at least four hours' duration.

11. Section 713.516 (b) (4) is added to read as follows:

(4) When more than one paid period of equivalent instruction or duty is conducted within one calendar day, each such period shall be of at least four hours' duration.

12. Section 713.325 is amended to read as follows:

§ 713.325 *Qualifications for original appointment*. (a) Except as otherwise approved by the Secretary of the Navy, the limiting ages for original appointments in the Naval Reserve of all officers except physicians and dentists are prescribed as follows:

Grade	Line CEC, SO	Medical Service Corps	Nurse Corps	Chaplain Corps	MC and DC students ¹
LCDR.....	39½-48½	39½-48½	39½-48½	39½-48½	39½-48½
LT.....	33½-39½	33½-39½	33½-40	33½-39½	33½-39½
LTCJG.....	27½-33½	21-33½	27½-33½	21-33½	21-33½
ENS.....	19-27½	21-32	21-27½	19-30	19-29
ENS 1905.....	21-44				
Warrant.....					

¹ The maximum age limit for men with prior active military service may be adjusted on a month-for-month basis, depending upon the number of months of active military service performed between Dec. 7, 1941-Sept. 2, 1945 and during the combat period of the Korean Emergency, but in no case will an application be accepted from any person who will have passed his 36th birthday when he becomes eligible for superseding appointment in the grade of LTCJG.

(b) Except as otherwise approved by the Secretary of the Navy, the limiting ages and experience factors for original appointment of physicians and dentists in the Naval Reserve are prescribed as follows:

Physicians		Grade	Dentists	
Minimum years experience ¹	Maximum age		Minimum years experience	Maximum age
11	48	LCDR.....	11	48
4	39½	LT.....	4	39½
0	33½	LTCJG.....	0	33½

¹ Computed from date of graduation from medical or dental school.

The Chief of Naval Personnel is authorized to establish age and experience levels for appointment of physicians and dentists who are required by law to perform active military service. Modifications of the requirements of the table shown above shall be within the limitations established by such legislation.

(c) All persons appointed as midshipmen, warrant officers, or commissioned officers in the Naval Reserve shall be physically qualified in accordance with physical standards contained in the Manual of the Medical Department and as prescribed by the Chief of Naval Personnel.

(1) Minor physical defects which are non-organic and/or non-recurrent in nature may be waived as directed by the Chief of Naval Personnel.

(d) Civilians and enlisted reservists not on active duty who are applicants for appointment will be interviewed personally by not less than two suitable officers. A summation of the individual interviews shall be included in the forwarding report.

(e) Before an application is forwarded to the Chief of Naval Personnel, the procurement activities will conduct an investigation of the candidate's security and of his moral and professional qualifications for appointment in the Naval Reserve as directed by the Chief of Naval Personnel.

(1) If as a result of the personal interviews and investigations there remains any doubt as to the loyal intentions of the candidate or as to the bad effect of any influences to which he may be subject, the forwarding endorsement should so state.

(f) The requirements in the preceding paragraphs of this section may be waived by the Chief of Naval Personnel or his designated representative, for officers of the Regular Navy who apply for appointment and whose resignations are pending and for former officers of the Regular Navy who apply within 3 months after effective date of their resignations.

(g) Appointment in the Naval Reserve, unless otherwise required by law, is limited to men and women who meet any one of the following requirements:

(1) Are citizens of the United States, its territories, or possessions.

(2) Have had prior service in the Armed Forces of the United States or the National Security Training Corps.

(3) Are citizens of the Philippine Islands who were in the United States naval service on July 4, 1946 (or who, having been discharged therefrom on or prior to that date, subsequently re-enlisted in the naval service before the expiration of 3 months following discharge).

(4) Have made declaration of intent to become a citizen of the United States.

(h) The Chief of Naval Personnel shall prescribe citizenship requirements for appointment in the Naval Reserve within the limitations set forth in this section.

13. Section 713.328 has been added to read as follows:

§ 713.328 *Appointment of Merchant Marine officers as officers of the Naval Reserve*. (a) Merchant Marine officers may be appointed to commissioned grades in the line and supply corps of the Naval Reserve. Applications for such appointment shall be made at Offices of Naval Officer Procurement.

(b) In addition to the general requirements for appointment in the Naval Reserve, as set forth in preceding sections of this part and directives to the Recruiting Service, the following additional requirements are prescribed, unless otherwise authorized by the Chief of Naval Personnel:

(1) A candidate for commission in line must be a licensed deck, engineer or radio officer of the American Merchant

Marine and, except as provided in paragraphs (b) (3) and (f) of this section, be serving in a vessel of not less than 1000 gross tons documented under laws of the United States or on other public vessels thereof. Applicants serving on vessels of less than 1000 gross tons may be appointed by special authority of the Chief of Naval Personnel.

(2) A licensed radio officer applying for appointment in the Naval Reserve must, in addition, hold a valid first-class radiotelegraph operator's license issued by the Federal Communications Commission and be licensed as a radio officer by the Coast Guard. He must have a minimum of two years' college education or present evidence of eligibility for acceptance without qualification in the junior academic year at an accredited college or university. Such officers must, in addition, have had two years' experience as a radio officer at sea in vessels of the maritime service, one year of which must have included collateral duties as a shipboard administrative officer.

(3) Applications may be accepted from persons employed in the Merchant Marine Service in a capacity connected with the management, operation, or maintenance of the ships of the Merchant Marine.

(4) A candidate for appointment in the supply corps must be employed on a vessel documented under the laws of the United States. Only chief pursers, pursers, senior assistant and junior assistant pursers (including those assigned to stores duties) who have successfully completed two years of college studies or who have served not less than two years under certificate of registry in one of the purser classifications, will be considered eligible for appointment as commissioned officers in the supply corps.

(c) All Merchant Marine officers appointed in the Naval Reserve must agree to complete Naval Reserve correspondence courses required by appropriate Bureaus of the Navy Department.

(d) The grade in which appointment is made depends on the applicant's age and the total number of years of accumulated sea going licensed service. Unless otherwise authorized by the Chief of Naval Personnel, the maximum age and minimum sea going licensed experience for appointment in the Naval Reserve of Merchant Marine officers are:

Maximum age	Grade	Minimum sea-going licensed experience
48½	LCDR	11 years.
39½	LT	7 years.
33½	LTJG	3 years.
27½	ENS	3 months. ¹

¹ Modified by paragraph (f) of this section.

(e) In order to establish permanency of duties, applicants serving on board ship must have been employed in their present capacity for at least three months immediately preceding appointment.

(f) Students matriculating at the State or Federal Maritime academies may, upon application, be eligible for appointment as Ensigns in the Naval Re-

serve upon graduation, provided they have completed prescribed courses in Naval Science, hold unlimited officers licenses as deck or engineer officers, and are in all respects qualified. Officers so commissioned will be given appropriate qualification code numbers to indicate their qualifications as deck or engineer officers.

(g) The Chief of Naval Personnel shall prescribe appropriate regulations and processing procedures to implement the foregoing programs.

14. Section 713.533 (b) (3) is amended to read as follows:

(3) Conducted not more frequently than the number of times indicated in the below calendar limitations.

1. *Daily.* Three (3) drills of which not more than two may be paid drills. When more than one paid drill is conducted within one calendar day, each such paid drill shall be of at least four hours' duration.

2. *Weekly.* Three (3) drills except when specifically authorized by the Chief of Naval Air Reserve Training in which cases four (4) drills may be conducted in one calendar week provided all four (4) drills are not conducted in the same calendar month.

3. *Monthly.* Four (4) drills except in months ending on Saturday or when specifically authorized by the Chief of Naval Air Reserve Training in which case the monthly limitation is held in abeyance and a quarterly limitation of thirteen (13) will apply provided drills are scheduled in each month of the quarter.

15. Section 713.534 (a) (7) is added to read as follows:

(7) When more than one paid period of equivalent instruction or duty is conducted within one calendar day, each such period shall be of at least four hours' duration.

16. Section 713.535 (a) (6) is added to read as follows:

(6) Periods of special inactive duty training performed more often than once in any one day, twice in any calendar week, four times in any calendar month and sixteen times in any fiscal year shall not be credited for retirement purposes.

17. Section 713.33 (c) has been added to read as follows:

(c) Members of the Naval Reserve on retired lists are in a retired status.

18. Section 713.336 (a) is amended to read as follows:

(a) Enlisted members of the Naval Reserve serving on active duty may, subject to approval of the commanding officer, be permitted to extend their enlistments for periods of 1, 2, 3, or 4 years. The provisions of article C-1407 of the Bureau of Naval Personnel Manual shall apply relative to extension and cancellation of extension while on active duty except that extension or reextension of one year will be authorized only by the Chief of Naval Personnel in specific cases where:

(1) An enlisted person has an approved application for transfer to duty for which additional obligated service is required, such as to a service school or tour of shore duty, or where additional

obligated service is necessary for a foreign cruise or foreign duty;

(2) The applicant requires one year or less of additional service in order to qualify for retirement; or

(3) It is found that other good reasons exist for such extension.

(Sec. 251, 66 Stat. 495; 50 U. S. C. 1002)

By direction of the Secretary of the Navy.

[SEAL]

R. LIBBY,
Captain, U. S. Navy, Acting,
Judge Advocate General of the
Navy.

JULY 24, 1956.

[P. R. Doc. 56-6156; Filed, July 30, 1956;
8:51 a.m.]

PART 719—NAVAL COURTS AND CERTAIN FACT FINDING BODIES

MISCELLANEOUS AMENDMENTS

Scope and purpose. The following amendments bring Part 719 up to date and substantially into accord with the 1955 Naval Supplement to the Manual for Courts-Martial, United States, 1951. The amended sections relate to the attendance of civilian witnesses before naval courts-martial and certain fact-finding bodies.

1. Paragraph (a) of § 719.5 is revised to read as follows:

(a) *Authorization for payment.* The fees and mileage of a civilian witness shall be paid by the disbursing officer of the command of a convening authority or appointing authority or by the disbursing officer at or near the place where the tribunal sits or where a deposition has been taken when such disbursing officer is presented a public voucher for such fees and mileage properly completed, signed by the witness and certified by one of the following:

(1) Trial counsel or assistant trial counsel of the court-martial.
(2) Summary court-martial.
(3) Counsel for the court in a court of inquiry.

(4) Recorder or junior member of a board to redress injuries to property.

(5) Military officer before whom a witness gave his deposition. The public voucher must be accompanied by the subpoena and by a certified copy of the order appointing the court-martial, court of inquiry, or investigation. If, however, a deposition is taken before charges are referred for trial, the fees and mileage of the witness concerned shall be paid by the disbursing officer at or near the place where the deposition is taken upon presentation of a public voucher, properly completed as hereinbefore prescribed, and accompanied by an order from the officer who authorized the taking of the deposition, subscribed by him and directing the disbursing officer to pay to the witness the fees and mileage supported by the public voucher. When the civilian witness testifies outside the continental United States, its Territories and possessions, the public voucher must be accompanied by a certified copy of the order appointing the court-martial.

court of inquiry, or investigation and by an order from the convening authority or appointing authority, subscribed by him and directing the disbursing officer to pay to the witness the fees and mileage supported by the public voucher.

2. Paragraph (k) (2) of § 719.5 is revised to read as follows:

(k) *Rates for civilian witnesses prescribed by law.* * * *

(2) *Civilian witnesses in Government employ.* A civilian in the employ of the Government, when summoned as a witness, shall be paid (i) his necessary expenses incident to travel by common carrier, or, if travel is made by privately owned automobile, mileage at the rate of 10 cents per mile, and (ii) a per diem allowance at the rate of \$12 in lieu of subsistence within the continental United States, and at the maximum rates prescribed by the Bureau of the Budget pursuant to the Travel Expense Act of 1949, as amended (5 U. S. C. 836) outside the continental United States. Such per diem allowances shall be paid in accordance with the provisions of the Standardized Government Travel Regulations (see Naval Civilian Personnel Instructions 240.11). If the tribunal is in session at the place where the civilian witness in the employ of the Government is stationed, he shall receive no allowance.

3. Section 719.7 is revised to read as follows:

§ 719.7 *Attendance of witnesses before investigations.* An investigation ordered pursuant to Chapter II, III, IV or V of the 1955 Naval Supplement to the Manual for Courts-Martial, United States, 1951, with the exception of when it is acting as a board for redress of injuries to property under Article 139 of the Uniform Code of Military Justice (50 U. S. C. 735), has no statutory power to summon civilian witnesses. Testimony of any witness may, however, be requested, and the investigation is not confined to any federal reservation in its quest for evidence by witnesses.

(R. S. 1547; 34 U. S. C. 591)

By direction of the Secretary of the Navy.

[SEAL] R. LIBBY,
Captain, U. S. Navy, Acting,
Judge Advocate General of
the Navy.

JULY 24, 1956.

[F. R. Doc. 56-6155; Filed, July 30, 1956;
8:51 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

PART 207—NAVIGATION REGULATIONS

LEWIS RIVER, WASH.; HAMPTON ROADS AND
WILLOUGHBY BAY, VA.

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C.

499), § 203.765 (b) (1) prescribing special regulations governing the operation of the Northern Pacific Railway Company bridge across Lewis River, Washington, is hereby amended to provide for operation of the draw on advance notice from May 25 to July 20, both dates inclusive, and for the closure of the bridge during the remainder of each year, as follows:

§ 203.765 *Cowlitz and Lewis Rivers, Wash.; bridges.* * * *

(b) *Special regulations.*—(1) *Northern Pacific Railway Company bridge across Lewis River.* (i) The owner of or agency controlling the bridge will not be required to open the draw of the bridge for the passage of vessels from January 1 to May 24, inclusive, and from July 21 to December 31, inclusive, of any year.

(ii) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw from May 25 to July 20, both dates inclusive, at least 6 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

(iii) Upon receipt of such notice, the authorized representative of the owner of or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice of the passage of the vessel.

(iv) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in a manner that it can be easily read at any time, a copy of the regulations of this section, together with a notice stating exactly how the authorized representative may be reached by telephone or otherwise.

[Regs., 19 July 1956, 823.01 (Lewis River, Wash.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U. S. C. 499)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 207.156 establishing and governing the use and navigation of the waters of Hampton Roads and Willoughby Bay, comprising a seaplane restricted area is hereby amended to provide for a revision of the boundaries of the restricted area and to establish a prohibited area within the restricted area, as follows:

§ 207.156 *Hampton Roads and Willoughby Bay, Norfolk, Va.; seaplane restricted and prohibited areas.*—(a) *The areas.*—(1) *The restricted area.* Beginning on the shore of Willoughby Bay at latitude 36°57'22", longitude 76°18'02.7"; thence to latitude 36°57'29", longitude 76°19'01"; thence to latitude 36°58'41.5", longitude 76°18'42"; thence to latitude 36°58'37.5", longitude 76°18'16"; thence to latitude 36°58'01", longitude 76°18'23"; thence to latitude 36°57'48", longitude 76°18'07.5"; thence to latitude 36°57'45.5", longitude 76°17'58.5"; thence to latitude 36°57'35", longitude 76°17'08"; thence to latitude 36°57'43", longitude 76°16'54"; thence to latitude 36°57'42", longitude 76°16'21.5", and

thence conforming to the shore line to the point of beginning.

(2) *The prohibited area.* Beginning on the shore of Willoughby Bay at latitude 36°57'22", longitude 76°18'02.7"; thence to latitude 36°57'47.7", longitude 76°18'57"; thence to latitude 36°57'57.3", longitude 76°18'54"; thence to latitude 36°57'22.7", longitude 76°16'23.8"; thence conforming to the shore line to the point of beginning.

(b) *The regulations.* (1) No vessel shall enter or remain in the prohibited area, except on prior permission granted by the Commanding Officer, Naval Air Station, Norfolk, Virginia.

(2) Vessels shall not moor or anchor within the restricted area. All vessels moving in the restricted area shall immediately proceed from the area on the approach of seaplanes or when warned by a patrol boat or any other means of warning which may be employed.

(3) Fishing, oystering, clamming, crabbing, and other aquatic activities are prohibited within the areas.

(4) The regulations in this section shall be enforced by the Commandant, Fifth Naval District, Norfolk, Virginia, and such agencies as he may designate.

[Regs., 12 July 1956, 800.2121 (Willoughby Bay, Va.)—ENGWO] (Sec. 7, 40 Stat. 266; 33 U. S. C. 1)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 56-6129; Filed, July 30, 1956;
8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1317]

[1146337]

ALASKA

RESERVING PUBLIC LANDS FOR USE OF FISH
AND WILDLIFE SERVICE AS KODIAK ADMIN-
ISTRATIVE SITE

By virtue of the authority vested in the President by section 2380 of the Revised Statutes (43 U. S. C. 711) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public land in Alaska, which is part of the withdrawal on Kodiak Island for townsite purposes made by Executive Order No. 8442 of June 12, 1940, is hereby reserved for use of the Fish and Wildlife Service, Department of the Interior, as the Kodiak Administrative Site:

That part of U. S. Survey 1707 described as follows:

Beginning at Corner No. 1 of U. S. Survey 1707, in the Town of Kodiak, latitude 57°47'23" N., longitude 152°23'48" W., thence by metes and bounds:

N. 35° 47' W., 115.5 feet to corner No. 2 U. S. Survey 1707;
S. 50° 28' W., 89.0 feet;

S. 35° 47' E., 109.7 feet to a point on the southeast boundary of U. S. Survey 1707; N. 54° 13' E., 89.2 feet along southeast boundary to point of beginning.

The area described contains 0.23 acre.

Executive Order No. 8442 of June 12, 1940, which reserved the above-described tract, together with other lands, for townsite purposes, is hereby modified to

the extent necessary to permit the reservation made by section 1 of this order to become effective.

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

JULY 25, 1956.

[F. R. Doc. 56-6131; Filed, July 30, 1956;
8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

NOTICE OF FILING OF PETITION FOR ESTABLISHMENT OF TOLERANCES FOR RESIDUES OF MALATHION

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U. S. C. 346a (d) (1)), the following notice is issued:

A petition has been filed by American Cyanamid Company, 30 Rockefeller Plaza, New York 20, New York, proposing the establishment of a tolerance of 8 parts per million for residues of malathion in or on the following raw agricultural commodities: Asparagus, barley (grain form), blackberries, boysenberries, carrots, collards, corn (grain form and forage), cottonseed, currants, dandelions, dewberries, endive (escarole), figs, garlic, gooseberries, guavas, horse-

radish, kohlrabi, leeks, loganberries, mushrooms, nectarines, oats, parsley, parsnips, pecans, peppermint, pumpkins, quinces, radishes, raspberries, rice, rye, salsify (including tops), shallots, spearmint, Swiss chard, water cress, walnuts, wheat (grain form); a tolerance of 4 parts per million in or on the following raw agricultural commodities: Meat (of cattle, swine, chickens, ducks, geese, and turkeys) and chicken eggs; and a tolerance of 0.4 part per million in milk.

The analytical method proposed in the petition for determining residues of malathion in fruits and vegetables is the method published in the Journal of Agricultural and Food Chemistry, Vol. II, No. 11, pages 570-573 (1954).

Methods proposed for determining malathion in eggs, milk, and meat are modifications of this procedure, the primary modification with respect to each product being in the preparation of the sample for the extraction.

Dated: July 26, 1956.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 56-6143; Filed, July 30, 1956;
8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MISSISSIPPI

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LAND

JULY 25, 1956.

The Office of the Chief of Engineers, Department of the Army, has filed application, BLM 042717, for the withdrawal of the land described below, from all form of appropriation, including the mining and mineral leasing laws, subject to valid existing rights.

The applicant desires the land for use in connection with Camp Shelby.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

If circumstances warrant it, a public hearing will be held at a convenient time

and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The land involved in the application is:

FORREST COUNTY, MISSISSIPPI

T. 3 N., R. 12 W., St. Stephens Meridian,
Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
Containing 34.76 acres.

H. K. SCHOLL,
Acting Manager.

[F. R. Doc. 56-6132; Filed, July 30, 1956;
8:47 a. m.]

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 21,
WYOMING NO. 5, ENLARGED

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865), as amended by the

act of January 29, 1929 (45 Stat. 1144; 43 U. S. C. 300), and in section 7 of the act of June 28, 1934 (48 Stat. 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315f), and pursuant to the authority delegated by the Director, Bureau of Land Management, by Section 2.5, Order No. 541 of April 21, 1954 (19 F. R. 2473), it is ordered as follows:

The following described public lands in the State of Wyoming are hereby classified as necessary and suitable for stock driveway purposes, and, excepting any mineral deposits therein, are withdrawn from all disposal under the public land laws and reserved, subject to valid existing rights, for the use of the general public, the reservation to be known as Stock Driveway Withdrawal No. 21, Wyoming No. 5, Enlarged:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 48 N., R. 29 W.,

Sec. 1: S $\frac{1}{2}$.

T. 49 N., R. 27 W.,

Sec. 5: Lot 8;

Sec. 6: Lots 8 and 9;

Sec. 7: Lot 5;

Sec. 8: Lots 2 and 3;

Tract 57: Lots A-E-F-G-H-I-J-N-O-P.

The area described aggregated 925.62 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

Notice for Filing Objections to the Following Entitled Order Published Simultaneously Herewith: Stock Driveway Withdrawal No. 21, Wyoming No. 5, Enlarged

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may file their objections in duplicate in the office of the State Supervisor, Room 305, Federal Office Building, Cheyenne, Wyoming. In the case any objection is filed and the nature is such to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

LOWELL M. PUCKETT,
State Supervisor.

[F. R. Doc. 56-6133; Filed, July 30, 1956;
8:47 a. m.]

[W-040085]

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 128,
WYOMING NO. 13, REDUCED

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865), as amended by the act of

January 29, 1929 (45 Stat. 1144; 43 U. S. C. 300), and in section 7 of the act of June 28, 1934 (48 Stat. 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315f), and pursuant to the authority delegated by the Director, Bureau of Land Management, by section 2.5, Order No. 541, dated April 21, 1954 (19 F. R. 2473), it is ordered as follows:

Subject to existing valid rights and the provisions of existing withdrawals, Departmental Orders dated March 26, 1920 and April 30, 1938, establishing Stock Driveway No. 128, Wyoming No. 13, under section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U. S. C. 300), are hereby revoked as they affect the following described lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 43 N., R. 86 W.,
Sec. 21: S½SE¼;
Sec. 28: W½NE¼, SE¼NE¼.
T. 38 N., R. 87 W.,
Sec. 13: SW¼.

The area described totals 360 acres.

This revocation is made in furtherance of an exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended by section 3 of the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), by which the offered land will benefit a Federal land program. This restoration is therefore, not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, granting preference rights to veterans of World War II and the Korean conflict, and others.

LOWELL M. PUCKETT,
State Supervisor.

[F. R. Doc. 56-6134; Filed, July 30, 1956;
8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-4933, etc.]

GREGORY KREBS ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

Take notice that each of the applicants listed below has filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing such applicant to continue to sell natural gas subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open for public inspection. These matters should be consolidated and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on the date and at the place hereinafter stated, concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant

to the provisions of § 1.30 (c) (1) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) not less than ten days before the date of hearing. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request for waiver is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

The dockets, applicants and material averments in applications to which reference is made above are as follows:

Docket No.; Name and Address; Filing Date; Gas Field and Purchaser

G-4933; Gregory Krebs, Charleston, W. Va.; 11-17-54; Branchland, Putnam County, W. Va.; United Fuel Gas Company.

G-5149; D. H. Bland, Spencer, W. Va.; 11-19-54; Boothe Lease, Roane County, W. Va.; Smithfield District, Roane County, W. Va.; United Fuel Gas Company.

G-5150; Hunt & Anderson, Spencer, W. Va.; 11-19-54; Mae Cock Lease, Geary District, Roane County, W. Va.; United Fuel Gas Company.

G-5151; W. L. Simmons et al., Spencer, W. Va.; 11-19-54; Spencer District, Roane County, W. Va.; United Fuel Gas Company. G-5152; K. M. Hunt, Spencer, W. Va.; 11-19-54; Smithfield District, Roane County, W. Va.; United Fuel Gas Company.

G-5153; Dodd-Heeter-Nichols, Spencer, W. Va.; 11-19-54; Smithfield District, Roane County, W. Va.; United Fuel Gas Company.

G-5944; Foster-McKenzie Company, Pittsburgh, Pa.; 11-19-54; Grant, Wetzel County, W. Va.; Equitable Gas Company.

G-5946; P. C. McKenzie Company, Pittsburgh, Pa.; 11-26-54; Grant, Wetzel County, W. Va.; Equitable Gas Company.

G-5949; P. C. McKenzie Company, Pittsburgh, Pa.; 11-26-54; Middle Fork, Banks and Washington Districts, Randolph County, W. Va.; Equitable Gas Company.

G-6700; Harlan B. Houge, Glenville, W. Va.; 11-30-54; Central District, Doddridge County, W. Va.; Carnegie Natural Gas Company.

G-6690; Murphy Oil Company of Pennsylvania, Philadelphia, Pa.; 11-30-54; Southwest District, Doddridge County, W. Va.; Equitable Gas Company.

G-5955; Eddy Oil & Gas Company, Beatrice, W. Va.; 11-26-54; Murphy District, Ritchie County, W. Va.; Penova Interests.

G-6400; Lincoln Gas Company, Charleston, W. Va.; 11-29-54; Lincoln Lease, Kanawha County, W. Va.; South Penn Natural Gas Company.

G-6402; Winifrede Company, Charleston, W. Va.; 11-29-54; Joes Branch, Boone County, W. Va.; Hope Natural Gas Company.

G-6403; Winifrede Company, Charleston, W. Va.; 11-29-54; Elk District, Kanawha County, W. Va.; South Penn Natural Gas Company.

G-6404; Winifrede Company, Charleston, W. Va.; 11-29-54; Elk District, Kanawha County, W. Va.; South Penn Natural Gas Company.

A public hearing will be held on the 23d day of August, 1956, beginning at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the

issues presented by the above applications.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

JULY 24, 1956.

[F. R. Doc. 56-6135; Filed, July 30, 1956;
8:47 a. m.]

[Docket No. G-10783]

UNION OIL COMPANY OF CALIFORNIA

ORDER INSTITUTING INVESTIGATION

Union Oil Company of California (respondent) is an independent producer of natural gas and a "natural gas company" within the meaning of the Natural Gas Act, being engaged in the sale and delivery of natural gas in interstate commerce for resale for ultimate public consumption.

Respondent is one of several independent producers under contract to supply natural gas to Texas Gas Transmission Corporation (Texas Gas). A certificate of public convenience and necessity covering the proposed sale to Texas Gas was issued to respondent by order issued December 30, 1955, in Docket No. G-8811. Respondent's FPC Gas Rate Schedule No. 13 covers its sale to Texas Gas in question, and specifies a price of 21 cents per Mcf, with estimated revenue for the first month of \$267,561. This proposed rate is among the highest in Louisiana and represents the highest price paid by Texas Gas for field purchases of natural gas.

In addition to the sale of natural gas hereinbefore specifically referred to, it appears from the Commission's files that the Respondent is also engaged in making other sales of natural gas in interstate commerce, subject to the jurisdiction of the Commission.

It further appears that, upon the basis of data available to the Commission, the rates, charges, and classifications for or in connection with the sale or transportation of natural gas by Respondent herein, subject to the jurisdiction of the Commission, and the rules, regulations, practices, and contracts relating thereto may be unjust, unreasonable, unduly discriminatory, or preferential.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, upon its own motion, into and concerning all rates, charges or classifications demanded, observed, charged or collected by the respondent in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices or contracts affecting such rates, charges or classifications.

The Commission orders:

(A) An investigation of respondent, Union Oil Company of California, be and is hereby instituted under the provisions of the Natural Gas Act for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made

or proposed to be made by respondent, any of the rates, charges or classifications demanded, observed, charged, or collected, or any rules, regulations, practices or contracts affecting such rates, charges or classifications are unjust, unreasonable, unduly discriminatory or preferential.

(B) If the Commission, after a hearing has been had, shall find with respect to respondent, that any of its rates, charges, classifications, rules, regulations, practices, or contracts, subject to the jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory, or preferential, the Commission shall thereupon determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 5, 14, 15 and 16 thereof, and the Commission's rules of practice and procedure, a public hearing be held upon a date to be fixed by further order of the Commission concerning the matters specified in paragraphs (A) and (B) above.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: July 24, 1956.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 56-6136; Filed, July 30, 1956;
8:48 a. m.]

[Docket No. G-10784]

CALIFORNIA CO.

ORDER INSTITUTING INVESTIGATION

The California Company (respondent) is an independent producer of natural gas and a "national gas company" within the meaning of the Natural Gas Act, being engaged in the sale and delivery of natural gas in interstate commerce for resale for ultimate public consumption.

Respondent is one of several independent producers under contract to supply natural gas to Texas Gas Transmission Corporation (Texas Gas). A certificate of public convenience and necessity covering the proposed sale to Texas Gas was issued to respondent by order issued December 30, 1955, in Docket No. G-8810. Respondent's FPC Gas Rate Schedule No. 5 covers its sale to Texas Gas in question, and specifies a price of 21 cents per Mcf with estimated revenue for the first month of \$34,256. This proposed rate is among the highest in Louisiana and represents the highest price paid by Texas Gas for field purchases of natural gas.

In addition to the sale of natural gas hereinbefore specifically referred to, it appears from the Commission's files that the respondent is also engaged in making

other sales of natural gas in interstate commerce, subject to the jurisdiction of the Commission.

It further appears that, upon the basis of data available to the Commission, the rates, charges, and classifications for or in connection with the sale or transportation of natural gas by respondent herein, subject to the jurisdiction of the Commission, and the rules, regulations, practices, and contracts relating thereto may be unjust, unreasonable, unduly discriminatory, or preferential.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, upon its own motion, into and concerning all rates, charges or classifications demanded, observed, charged or collected by the respondent in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices or contracts affecting such rates, charges or classifications.

The Commission orders:

(A) An investigation of respondent, The California Company, be and is hereby instituted under the provisions of the Natural Gas Act for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by respondent, any of the rates, charges or classifications demanded, observed, charged, or collected, or any rules, regulations, practices or contracts affecting such rates, charges or classifications are unjust, unreasonable, unduly discriminatory or preferential.

(B) If the Commission, after a hearing has been had, shall find with respect to respondent, that any of its rates, charges, classifications, rules, regulations, practices, or contracts, subject to the jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory, or preferential, the Commission shall thereupon determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 5, 14, 15 and 16 thereof, and the Commission's rules of practice and procedure, a public hearing be held upon a date to be fixed by further order of the Commission concerning the matters specified in paragraphs (A) and (B) above.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: July 24, 1956.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 56-6137; Filed, July 30, 1956;
8:48 a. m.]

[Docket No. G-4331, etc.]

UNION OIL CO. OF CALIFORNIA ET AL.

ORDER FIXING DATE FOR REARGUMENT

In the matters of Union Oil Company of California, Docket No. G-4331; Union Oil Company of California and Louisiana Land and Exploration Company, Docket No. G-4332; Morris Rauch, et al., Docket No. G-4334; Bel Oil Corporation, Docket No. G-4505.

The Commission, having under consideration the record in these consolidated proceedings and having previously heard oral argument on June 28, 1956, on the exceptions to the Presiding Examiner's Decision in these proceedings issued May 2, 1956, orders:

(A) Oral reargument be had before the Commission on September 6, 1956, at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by the above-mentioned exceptions to the Presiding Examiner's decision.

(B) Those parties to these consolidated proceedings who intend to participate in the oral argument shall notify the Secretary of the Commission on or before August 20, 1956, of such intention and of the time required for the presentation of their argument.

Issued: July 24, 1956.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 56-6138; Filed, July 30, 1956;
8:48 a. m.]

[Docket No. E-6696]

MONTANA POWER CO.

NOTICE OF APPLICATION FOR ORDER AUTHORIZING ISSUANCE OF COMMON STOCK

JULY 26, 1956.

Take notice that on July 19, 1956, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by The Montana Power Company ("applicant"), a corporation organized under the laws of the State of New Jersey and doing business in the States of Montana, Idaho and Wyoming, with its principal business office at Butte, Montana, seeking an order authorizing the issuance of not to exceed 100,000 shares of its Common Stock without nominal or par value. Applicant proposes to issue to its officers and other key employees options to purchase said stock at a price to be fixed by the Board of Directors.

Any person desiring to be heard or make any protest with reference to said application should on or before the 15th day of August 1956, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and

procedure. The application is on file and available for public inspection.

[SEAL]

J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 56-6144; Filed, July 30, 1956;
8:49 a. m.]

[Docket No. G-9966, etc.]

NATURAL GAS PIPELINE CO. OF AMERICA
ET AL.

NOTICE OF APPLICATIONS, ORDER OF CON-
SOLIDATION HEARING AND PROCEDURE

In the matters of Natural Gas Pipeline Company of America, Docket No. G-9966; Texas Illinois Natural Gas Pipeline Company, Docket No. G-10103; Colorado Interstate Gas Company, Docket No. G-10176; Chicago District Pipeline Company, Docket No. G-10214; Pacific Northwest Pipeline Corporation, Docket No. G-10455.

Natural Gas Pipeline Company of America, G-9966: Take notice that Natural Gas Pipeline Company of America (Natural), a Delaware corporation, address 20 North Wacker Drive, Chicago 6, Illinois, filed on February 14, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of facilities for the expansion of the capacity of its existing pipe line system and the sale of natural gas as hereinafter described.

Natural proposes to transport additional volumes of natural gas for resale to existing customers, to the extent of increasing its sales capacity by 435,000 Mcf per day. The facilities to be constructed will consist of 388.71 miles of 36-inch loop pipeline, 91.3 miles of 30-inch loop pipeline, supercharging existing compressor engines and construct a new compressor station and other appurtenant facilities. These facilities are proposed to enable Natural to transport to market 350,000 Mcf per day to be received from Colorado Interstate Gas Company at Beatrice, Nebraska, and 85,000 Mcf per day to be received from other sources south of Beatrice.

Natural also proposes to become the sole seller of all gas to customers now served by Texas Illinois Natural Gas Pipeline Company, its affiliate.

The estimated cost of the proposed facilities is \$77,918,000. Natural tentatively proposes to finance this cost by the issuance of debt security and the sale of common stock to The Peoples Gas Light and Coke Company.

To effectuate this proposal, the following applications have been filed:

Texas Illinois Natural Gas Pipeline Company, G-10103: Take notice that Texas Illinois Natural Gas Pipeline Company (Texas Illinois), a Delaware corporation, address 20 North Wacker Drive, Chicago 6, Illinois, filed on March 15, 1956, an application pursuant to sections 7 (b) and 7 (c) of the Natural Gas Act, for permission and approval for the abandonment of the sale of natural gas for resale to all of its existing customers other than Natural Gas Pipeline Company of America (its affiliate), sub-

ject to Natural becoming the seller of such gas as applied for in the above Docket No. G-9966; and for a certificate of public convenience and necessity authorizing such sales of natural gas for resale to Natural.

Colorado Interstate Gas Company G-10176: Take notice that Colorado Interstate Gas Company (Colorado), a Delaware corporation, address Colorado Springs National Bank Building, Colorado Springs, Colorado, filed on March 30, 1956, an application, which was amended May 18, 1956, for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of facilities for the expansion of the capacity of its existing pipeline system and the sale of natural gas, as hereinafter described.

Colorado proposes to transport and sell an additional volume of natural gas up to 350,000 Mcf per day to Natural Gas Pipeline Company of America at a delivery point to be established near Beatrice, Nebraska. The facilities to be constructed will consist of new main and loop pipelines of approximately 791 miles ranging in size from 30 inches to 16 inches, additional compressor capacity of approximately 54,800 horsepower by supercharging existing compressor engines, installing additional compressor units in existing stations and constructing new stations, and other facilities.

The estimated cost of the proposed facilities is \$76,619,958. Colorado proposes to finance the cost by the issuance of short-term bank loans to be repaid out of the issuance of bonds and stock.

This application is dependent upon the purchase of an additional volume up to 117,500 Mcf per day of natural gas from Pacific Northwest Pipeline Corporation for which application has been filed in Docket No. G-10455.

Chicago District Pipeline Company G-10214: Take notice that Chicago District Pipeline Company (Chicago), an Illinois corporation, address Field Office Building, Troy Road, Joliet, Illinois, filed on April 9, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of facilities for the expansion of the capacity of its existing pipeline system and the transportation of natural gas, as hereinafter described.

Chicago proposes to build facilities that could transport an additional volume of 456,000 Mcf of natural gas per day for its customers by means of looping the existing pipeline between Joliet and Chicago, Illinois. The facilities to be constructed will consist of 49.8 miles of 36-inch and 2.3 miles of 30-inch pipeline and other facilities.

The estimated cost of the proposed facilities is \$13,000,000. Chicago tentatively proposes to finance this cost by the issuance of stock and borrowing from The Peoples Gas Light and Coke Company.

Pacific Northwest Pipeline Corporation G-10455: Take notice that Pacific Northwest Pipeline Corporation (Pacific), a Delaware corporation, address M & M

Building, Houston 2, Texas, filed on May 22, 1956 an application, which was amended June 21, 1956, for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of facilities for the expansion of the capacity of its existing pipeline system and the sale of natural gas, as hereinafter described.

Pacific proposes to transport additional volumes of natural gas for resale to Colorado Interstate Gas Company, to the extent of increasing its sales capacity by 117,500 Mcf per day, which will result in a maximum daily obligation of 235,000 Mcf for delivery to Colorado. The facilities to be constructed will consist of additional compressors to existing pipelines of approximately 55,500 horsepower by additions to and new compressor stations, and other facilities.

The estimated cost of the proposed facilities is \$24,267,545, which will be financed by the issuance of bond, stock and bank loans.

The Commission finds:

(1) The applications filed by Natural, Texas Illinois, Colorado, Chicago, and Pacific in Docket Nos. G-9966, G-10103, G-10176, G-10214 and G-10455, respectively, are all related and should be consolidated for hearing.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and in the public interest that the procedure hereinafter prescribed should be followed in the hearing so that said hearing may be conducted with reasonable dispatch and the hearing commence as hereinafter ordered.

The Commission orders:

(A) The aforesaid applications in Docket Nos. G-9966, G-10103, G-10176, G-10214 and G-10455 be and the same hereby are consolidated for hearing.

(B) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 2, 1956, at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such applications.

(C) The procedure at the hearing shall be as follows: Natural, Texas Illinois, Colorado, Chicago and Pacific respectively, shall present their direct evidence as to all matters and issues involved in decision upon the authorizations requested, and other parties, including Staff Counsel, may conduct so much of their cross-examination of the various witnesses as they are thus prepared to undertake; and thereafter the Presiding Examiner shall recess the hearing pending further order of the Commission respecting such cross-examination and the presentation of such other evidence as may be appropriate.

(D) Protests and petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 24, 1956. The applications

are on file with the Commission for public inspection.

Issued: July 25, 1956.

By the Commission.

[SEAL] J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 56-6145; Filed, July 30, 1956;
8:49 a. m.]

GENERAL SERVICES ADMINISTRATION

[Project 3-DC-03]

FEDERAL OFFICE BUILDINGS

PROSPECTUS FOR PROPOSED BUILDINGS IN SOUTHWEST REDEVELOPMENT AREA OF DIS- TRICT OF COLUMBIA

EDITORIAL NOTE: This prospectus of proposed Project Number 3-DC-03 is published pursuant to section 412 (f) of the Public Buildings Purchase Contract Act of 1954 as amended by Public Law 150, 84th Congress, which requires publication in the FEDERAL REGISTER, for a period of ten consecutive days from date of submission to the Committees on Public Works of the Senate and House of Representatives.

[Project Number 3-DC-03 (Revised)]

JUNE 29, 1956.

FORMAL PROSPECTUS FOR PROPOSED BUILDING
UNDER TITLE I, PUBLIC LAW 519, 83d CON-
GRESS, 2d SESSION

FEDERAL OFFICE BUILDING NO. 5, WASHINGTON,
D. C.

1. *Brief description of proposed building.* The project contemplates the erection of a Federal Office Building on a site to be acquired. The building will be multi-storied and will provide approximately 263,000 square feet of net assignable space.

2. *Estimated maximum cost and financing.*
a. Maximum cost of site and building, \$12,190,000.

b. Proposed contract term, 25 years.

c. Maximum rate of interest on purchase contract, 4 percent.

3. *Certificates of need.* There is attached certificate of need signed by the head of the agency which will use the facility. Certification is hereby made as to the need for service space. Upon completion of the facility, assignment and reassignment of space will be made in accordance with existing law.

4. *Non-availability of existing space.* Suitable space owned by the Government is not available and suitable rental space is not available at a price commensurate with that to be afforded through the contract proposed.

5. *Estimated annual managerial, custodial, heat, and utility costs.* (Services to be supplied by Government), \$276,100.

6. *Estimated annual tax liability, upkeep and maintenance.* a. Taxes, post construction (contract period), \$141,000.

b. Upkeep and maintenance (to be provided by Government), \$39,400.

7. *Current housing costs.* Housing costs currently paid by the Government for agencies to be housed in the building to be erected, \$208,077.

Determination of need. It has been determined that (1) the needs for space for the permanent activities of the Federal Government in this particular area cannot be satisfied by utilization of any existing suitable property now owned by the Government, and (2) the best interests of the United States will be served by taking action hereunder.

Submitted at Washington, D. C., on July 6, 1956.

Recommended:

F. MORAN MCCONNIE,
Commissioner of Public Buildings Service.

Approved:

FRANKLIN G. FLOETE,
Administrator of General Services.

8. *Statement of Director, Bureau of the Budget.* Reflected in letter (copy attached).

CERTIFICATE OF NEED

PROPOSED FEDERAL OFFICE (FOOD AND DRUG
ADMINISTRATION) BUILDING, WASHINGTON,
D. C.

Project No. 3-DC-03.

I, the undersigned, the Secretary of Health, Education, and Welfare, in pursuance of the provisions of the Public Buildings Purchase Contract Act of 1954 (Public Law 519, 83d Congress) certify that there is a permanent need in this project for approximately 200,000 square feet of net agency space to accommodate the operations of the Food and Drug Administration.

M. B. FOLSOM,
Secretary of Health,
Education, and Welfare.

Certified at Washington, D. C. April 12,
1956.

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

WASHINGTON 25, D. C.

JULY 13, 1956.

Project #3-DC-03 (Revised June 29, 1956)
Federal Office Building No. 8,
Southwest Washington Area,
Washington, D. C.

MY DEAR MR. FLOETE: Pursuant to section 411 (e) (8) of the Public Buildings Purchase Contract Act of 1954 (Public Law 519), the proposal for a Federal Office Building, received July 9, 1956, has been examined and in my opinion "is necessary and in conformity with the policy of the President." This approval is given with the following understanding:

1. That the stated project cost of \$12,190,000 (including cost of a site to be acquired at an estimated cost of \$75,000) is a maximum figure.

2. That the site located in the Southwest Washington Area will be developed to its maximum space utilization and that any space in excess of the needs of the Food and Drug Administration at the time the building is completed will be allocated to agencies then housed in temporary buildings. When the allocation of agencies is determined, temporary space of equivalent occupancy will be demolished.

3. That every effort will be made to design and construct space conducive to maximum efficient utilization and to take advantage of any revision of cost downward which may be found possible as the plans develop and negotiations are advanced.

You appreciate, of course, that this project will receive a more detailed review as to cost and space utilization.

Sincerely yours,

PERCIVAL F. BRUNDAGE,
Director.

HON. FRANKLIN G. FLOETE,
Administrator,
General Services Administration,
Washington 25, D. C.

[F. R. Doc. 56-5874; Filed, July 17, 1956;
2:20 p. m.]

[Project 3-DC-07]

FEDERAL OFFICE BUILDINGS

PROSPECTUS FOR PROPOSED BUILDINGS IN SOUTHWEST REDEVELOPMENT AREA OF DIS- TRICT OF COLUMBIA

EDITORIAL NOTE: This prospectus of proposed Project Number 3-DC-07 is published pursuant to section 412 (f) of the Public Buildings Purchase Contract Act of 1954 as amended by Public Law 150, 84th Congress, which requires publication in the FEDERAL REGISTER, for a period of ten consecutive days from date of submission to the Committees on Public Works of the Senate and House of Representatives.

[Project No. 3-DC-07]

FORMAL PROSPECTUS FOR PROPOSED BUILDING
UNDER TITLE I PUBLIC LAW 519, 83d CON-
GRESS, 2d SESSION

FEDERAL OFFICE BUILDING NO. 10,
WASHINGTON, D. C.

1. *Brief description of proposed building.* The project contemplates the erection of a Federal Office Building on a site to be acquired in Southwest Washington. The building will be multistoried and will provide approximately 1,095,000 square feet of net assignable space.

2. *Estimated maximum cost and financing.*
a. Maximum cost of the site and building, \$40,900,000.

b. Proposed contract term, 25 years.

c. Maximum rate of interest on purchase contract, 4 percent.

3. *Certificates of need.* As the project is intended to provide relocation of numerous Federal agencies now in temporary buildings, no specific allocation of space can be made at this time. Upon completion of the facility, assignment and re-assignment will be made in accordance with existing law. Therefore, requirement for Certificate of Need otherwise required by section 411 (e) of the Public Buildings Purchase Contract Act of 1954 was waived in Public Law 150, 84th Congress. Certification is hereby made as to the need for service space.

4. *Nonavailability of existing space.* Suitable space owned by the Government is not available and suitable rental space is not available at a price commensurate with that to be afforded through the contract proposed.

5. *Estimated annual managerial, custodial, heat, and utility costs.* (Services to be supplied by Government), \$1,095,000.

6. *Estimated annual tax liability, upkeep and maintenance.* a. Taxes, post construction (contract period), \$546,000.

b. Upkeep and maintenance (to be provided by Government), \$164,000.

7. *Current housing costs.* Housing costs currently paid by the Government for agencies to be housed in the building to be erected, \$841,261 p. a.

Determination of need. It has been determined that (1) the needs for space for the permanent activities of the Federal Government in this particular area cannot be satisfied by utilization of any existing suitable property now owned by the Government, and (2) the best interests of the United States will be served by taking action hereunder.

Submitted at Washington, D. C., on July 13, 1956.

Recommended:

F. MORAN MCCONNIE,
Commissioner of Public Buildings Service.

Approved:

FRANKLIN G. FLOETE,
Administrator of General Services.

8. *Statement of Director, Bureau of the Budget.* Reflected in letter (copy attached).

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

WASHINGTON 25, D. C.

JULY 18, 1956.

Project #3-DC-07,
Federal Office Building, No. 10,
(Two buildings connected by pedestrian
tunnel),
Southwest Washington Area,
Washington, D. C.

MY DEAR MR. FLOETE: Pursuant to section 411 (e) (8) of the Public Buildings Purchase Contract Act of 1954 (Public Law 519), the proposal for a Federal Office Building, received July 13, 1956, has been examined and in my opinion "is necessary and in conformity with the policy of the President." This approval is given with the following understanding:

1. That the stated project cost of \$40,900,000 (including cost of a site to be acquired at an estimated cost of \$1,700,000 is a maximum figure.

2. That the reported annual operating cost of existing temporary buildings to be supplanted, i. e., \$1.00 per square foot, represents minimum maintenance in anticipation of demolition and that temporary Government buildings actually cost more to maintain than the proposed new building.

3. That the site to be acquired in the southwest Washington area will be developed to its maximum space utilization; that the proposed building will provide relocation of numerous Federal agencies now in temporary buildings; that no specific allocation of space can be made at this time; when specific allocation of agencies in the proposed building is determined by the General Services Administration, temporary space of equivalent occupancy will be demolished.

4. That every effort will be made to design and construct space conducive to maximum efficient utilization, and to take advantage of any revision of cost downward which may be found possible as the plans develop and negotiations are advanced.

You appreciate, of course, that this project will receive a more detailed review as to cost and space utilization.

Sincerely yours,

PERCIVAL BRUNDAGE,
Director.

Hon. FRANKLIN G. FLOETE,
Administrator,
General Services Administration,
Washington 25, D. C.

[F. R. Doc. 56-5922; Filed, July 19, 1956;
10:00 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 2-9760]

FLYING TIGER LINE INC.

NOTICE OF APPLICATION AND OPPORTUNITY
FOR HEARING

JULY 25, 1956.

Notice is hereby given that The Flying Tiger Line Inc. ("company") has filed an application under section 310 (b) (1) (ii) of the Trust Indenture Act of 1939 for a finding by the Commission that trusteeship of Bankers Trust Company of New York (Bankers Trust) under an indenture dated as of July 1, 1952 (1952 Indenture), which was heretofore qualified under the act, and trusteeship by Bankers Trust under a proposed new indenture to be dated as of September 1, 1956 (1956 Indenture) not to be qualified

under the act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as such under the 1952 Indenture and the 1956 Indenture.

Section 310 (b) of the act, which is included in section 10.4 of the 1952 Indenture, provides in part that if an indenture trustee under an indenture qualified under the act has or shall acquire any conflicting interest (as defined in the section), it shall, within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions stated therein, that a trustee is deemed to have a conflicting interest if it is acting as trustee under a qualified indenture of an issuer and becomes trustee under another indenture of the same issuer. However, pursuant to clause (ii) of subsection (1), an issuer may sustain the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under a qualified indenture and another indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under one of such indentures.

The Company alleges that:

1. It proposes to issue \$1,000,000 aggregate principal amount of Series A 5½ percent Debentures (Subordinate) due 1967 under the 1956 Indenture under which Bankers Trust is named indenture trustee and to sell the new debentures to three institutional trustees which will purchase the debentures for investment and not with a view to distribution, as a result of which such debentures will be exempt from the registration requirements of the Securities Act of 1933 and the 1956 Indenture will be exempt from qualification under the Trust Indenture Act of 1939;

2. It has outstanding \$2,746,000 principal amount of 5½ percent Subordinate Debentures due 1967 issued under the 1952 Indenture as of July 1, 1952 under which Bankers Trust also is trustee;

3. The debentures issued under the 1952 Indenture were registered under the Securities Act of 1933 and the 1952 Indenture was qualified under the Trust Indenture Act of 1939;

4. The 1952 Indenture and the 1956 Indenture are wholly unsecured;

5. The 1956 Indenture and the 1952 Indenture have differences as to amounts, dates and redemption and sinking fund provisions. Aside from these differences, most of the provisions of the two indentures are substantially alike;

6. The 1956 Indenture contains provisions conforming to the requirements of the Trust Indenture Act of 1939;

7. The company is not in default under the 1952 Indenture; and

8. The differences between the 1952 Indenture and the 1956 Indenture are not likely to involve a conflict of interest in the trusteeship.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time after August 7, 1956, unless prior thereto a hearing on the application is ordered by the Commission, as provided in clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939. Any interested person may not later than August 3, 1956, in writing, submit to the Commission his views or any additional facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street N.W., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 56-6146; Filed July 30, 1956;
8:50 a. m.]

[File No. 70-3495]

HOME GAS CO. AND KEYSTONE GAS CO., INC.

NOTICE OF PROPOSED ACQUISITION OF GAS
PROPERTIES

JULY 25, 1956.

Notice is hereby given that Home Gas Company ("Home") and The Keystone Gas Company, Inc. ("Keystone"), each a wholly-owned subsidiary of The Columbia Gas System, Inc. ("Columbia"), a registered holding company, have filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 9, 10, and 12 thereof as applicable to the proposed transactions, which are summarized as follows:

Home is engaged in the purchase, storage, and transportation of natural gas and the sale at wholesale thereof to various utility companies, including Keystone, which distribute gas at retail in the State of New York. Keystone is principally engaged in the purchase, distribution and sale at retail of natural gas in the City of Olean and various other communities in said State.

Pursuant to an option dated March 14, 1955 given by Harley E. Crandall, Roy S. Crandall, and Lillian A. Wilkinson (doing business as Wayne Gas Company), all non-affiliates of Columbia, to Keystone, and a partial assignment of said option by Keystone to Home dated December 30, 1955, Home and Keystone will acquire certain gas properties of the sellers in the Wayne natural gas field, located in portions of Schuyler, Yates, and Steuben counties, New York, as follows:

Acquiring company	Properties to be acquired	Consideration
Home.....	(a) Natural gas production plant.	\$24,500
	(b) Gas rights, leaseholds, producing wells.	\$107,000
Keystone...	(c) Natural gas distribution plant.	\$16,500

¹ About \$300 in excess of estimated net original cost at Mar. 14, 1955. Home will also pay actual cost of subsequent property additions, about \$64.

² Based on \$350 per acre for gas rights, \$100 per acre for leaseholds, and \$5,500 for each producing well.

³ About \$466 in excess of estimated net original cost at Mar. 14, 1955. Keystone will also pay actual cost of subsequent property additions, about \$1,477.

It is stated that the acquisition of the distribution properties by Keystone will merely expand its present service area, and that the new acquisitions by Home will assist it in the further development of its Dundee underground storage field and in meeting its market requirements.

The acquisitions by Home and Keystone, respectively, of the properties designated as (a) and (c) aforesaid have been expressly authorized by the New York Public Service Commission; and the applicants therefore claim exemption pursuant to section 9 (b) (1) of the act with respect to the acquisition of such assets as are "public utility assets" as defined in section 2 (a) (18) of the act.

Both Home and Keystone will finance their several purchases with treasury funds, and they will charge to earned surplus the slight excess of purchase price of the utility properties over estimated net original cost.

The fees and expenses incurred or to be incurred in connection herewith are estimated as follows:

	Home	Keystone
Services of Columbia Gas System Service Corp., primarily in connection with the preparation of the Declaration	\$300	\$100
Legal fees (Hinnman, Howard & Kattell)	7,200	800
Fee to Public Service Commission of New York	2,900	700
Miscellaneous expenses	800	100
Total expenses, estimated...	11,200	1,700

It is requested that the Commission's order herein be made effective upon issuance.

Notice is further given that any interested person may, not later than August 9, 1956 at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-25 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and

U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 56-6147; Filed, July 30, 1956; 8:50 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 108]

OREGON

DECLARATION OF DISASTER AREA

Whereas it has been reported that on or about July 13, 1956, because of the disastrous effects of floods, damage resulted to residences and business property located in certain areas in the State of Oregon:

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected; and

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Wheeler County (including any areas adjacent to said county) suffered damage or other destruction as a result of the catastrophe above referred to:

Small Business Administration Regional Office, Burke Building, 905 Second Avenue, Seattle, Washington.

Small Business Administration Branch Office, Old U. S. Courthouse, 520 SW Morrison Street, Portland 4, Oregon.

2. No special field office will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to January 31, 1957.

Dated: July 16, 1956.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 56-6140; Filed, July 30, 1956; 8:48 a. m.]

[Declaration of Disaster Area 109]

MISSISSIPPI

DECLARATION OF DISASTER AREA

Whereas it has been reported that on or about February 16, 1956, because of the disastrous effects of tornadoes, damage resulted to residences and business property located in certain areas in the State of Mississippi:

Whereas the Small Business Administration has investigated and has re-

ceived other reports of investigations of conditions in the areas affected; and

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in the following counties (including any areas adjacent to the counties below named) suffered damage or other destruction as a result of the catastrophe above referred to:

Counties of: Monroe, Itawamba, Lee, Chickasaw, Clay, Lowndes.

Small Business Administration Regional Office, Peachtree Seventh Building, Room 265, 50 Seventh Street Northeast, Atlanta 23, Georgia.

2. No special field office will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1956.

Dated: February 27, 1956.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 56-6141; Filed, July 30, 1956; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

ADA CRESPO DE LA SERNA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Ada Crespo de la Serna, Via del Tiglio 26, Lugano-Cassarate, Switzerland; Claim No. 33893; \$8,241.81 in the Treasury of the United States.

All right, title, interest and claim of whatsoever kind or nature in and to every copyright, claim of copyright, license, agreement, privilege, power and every right of whatsoever nature, including but not limited to all monies and amounts, by way of royalties, share of profits or other emolument, and all causes of action accrued or to accrue, relating to the work entitled "Rosalinda", by Henri Meilhac and Ludovic Halevy, authors, music by Johann Strauss, as listed in Exhibit A of Vesting Order No. 3504 (9 F. R. 6271, June 9, 1944), to the extent owned by Alice von Meyssner immediately prior to the vesting thereof by Vesting Order No. 3504.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6123; Filed, July 30, 1956; 8:45 a. m.]

LEOPOLD JOSEF MÖSEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Leopold Josef Mösel, Vienna, Austria; Claim No. 59345, Vesting Order No. 14840; \$768.64 in the Treasury of the United States.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6121; Filed, July 30, 1956; 8:45 a. m.]

EVA BABETTE RUHL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Eva Babette Ruhl, Todenham, Gloucestershire, England; Claim No. 60832, Vesting Order No. 17595; \$1,182.70 in the Treasury of the United States.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6122; Filed, July 30, 1956; 8:45 a. m.]

ALBERT PFISTER-FISCH

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended,

notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Albert Pfister-Fisch, Berne, Switzerland; Claim No. 60620, Vesting Order Nos. 17829 and 17903; \$274.00 in the Treasury of the United States.

20 shares of Baltimore and Ohio Railroad Company \$100.00 par value common capital stock, included in those represented by Certificate No. AA-677, registered in the name of the Attorney General, which shares are held in the Safekeeping Department, Federal Reserve Bank, New York.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6124; Filed, July 30, 1956; 8:45 a. m.]

FELICINA CECI GIORGINI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Felicina Ceci Giorgini, Rome, Italy; Claim No. 39649, Vesting Order No. 235; all right, title, interest and claim in and to Check No. 10134, drawn on the Treasurer of the United States, dated October 3, 1949, payable to Ruggero Schiff Giorgini, in the amount of \$152.15, which was ordered returned pursuant to Return Order No. 408.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6125; Filed, July 30, 1956; 8:45 a. m.]

FERDINANDO CIRILLO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate

provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Ferdinando Cirillo, \$6.92 in the Treasury of the United States. Leonardo Cirillo, \$6.92 in the Treasury of the United States. Michele Cirillo, \$6.91 in the Treasury of the United States. Anna Lucia Cirillo, \$6.91 in the Treasury of the United States. Concetta Cirillo, \$6.91 in the Treasury of the United States. All of Stigliano, Matera, Italy. Claim No. 44029, Vesting Order No. 699.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6126; Filed, July 30, 1956; 8:45 a. m.]

FRITZ SCHNELL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Fritz Schnell, Avenida Menendez, Pelayo 27 6B, Madrid, Spain; Claim No. 45515, Vesting Order No. 11555; \$6,151.25 in the Treasury of the United States.

\$2,000 Republic of Chile 3 percent External Sinking Fund Dollar bonds of 1948 due 12-31-93 with 6-30-49 and 12-31-49 coupons attached. Bonds Nos. 13185-6.

\$1,800 Conversion Office for German Foreign Debts 3 Percent Dollar bonds due 1-1-46 with 7-1-40 and sca. Bonds Nos. CO43534, CO46335-7, CO46365-7, and CO46306 @ \$100.00 each, M10194 @ \$1,000.00.

\$2,000 Gesfurel 8 percent Sinking Fund Gold Bond debentures due 6-1-53 with 6-1-37 and sca. Bonds Nos. 2468-9.

\$2,000 Rhine Westphalia Electric Power Corporation Direct Mortgage 7 percent Gold bonds due 11-1-50 with 5-1-37 and sca. Bonds Nos. 3015 and 4845.

\$2,000 Rhine Westphalia Electric Power Corporation Consolidated 6 Percent Mortgage Gold bonds due 4-1-55 with 4-1-37 and sca. Bonds Nos. 9835/6.

\$2,000 Republic of Uruguay External Readjustment Sinking Fund Dollar bonds due 2-1-78. Bonds Nos. 699 and 700.

\$2,000 United Steel Works Corporation 25-year Sinking Fund 6½ Percent Gold bonds, Series A due 6-1-51 with 6-1-41 and sca. stamped. Bonds Nos. 5343 and 13728.

The above described bonds are presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York, New York.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6127; Filed, July 30, 1956; 8:45 a. m.]

FRIEDRICH BERGER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Friedrich Berger, Nebelberg, Upper Austria; Claim No. 42414, Vesting Order No. 2654; \$1,999.32 in the Treasury of the United States.

Executed at Washington, D. C., on July 24, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-6128; Filed, July 30, 1956;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 26, 1956.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 32424: *Liquefied petroleum gas in Central Territory*. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads from specified points in Illinois, Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, and West Virginia in central territory to specified points in central territory, within 260 miles from each origin, also from West

Burlington, Iowa, and specified points in Illinois to points in Illinois territory with 260 miles from each origin.

Grounds for relief: Maintenance of depressed rates not applicable in constructing combination routes.

FSA No. 32425: *Commodities—Central Territory to Illinois and Southern Territories*. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on liquefied chlorine gas, tank-car loads and other commodities described in the application from specified points in central territory to specified points in Illinois and southern territories.

Grounds for relief: Carrier competition and circuitous routes.

FSA No. 32426: *Asphalt filler—Chattsworth, Ga., to New Jersey*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on asphalt filler and related articles, carloads from Chattsworth, Ga., to South Bound Brook, N. J.

Grounds for relief: Short-line distance formula and circuitous routes, Market, Truck, Water competition.

Tariff: Supplement 191 to Agent Spaninger's I. C. C. 1324.

FSA No. 32427: *Hides, pelts and skins—Carroll, Fla., to Endicott, N. Y.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on hides, pelts and skins, carloads from Carroll, Fla., to Endicott, N. Y.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 191 to Agent Spaninger's tariff I. C. C. 1324.

FSA No. 32428: *Hides, pelts and skins—Bolivar, Tenn., to Boston, Mass.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on hides, pelts and skins, carloads from Bolivar, Tenn., to Boston, Mass., and points taking Boston rates.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 191 to Agent Spaninger's tariff I. C. C. 1324.

FSA No. 32429: *Hides, pelts and skins—Newnan, Ga., to Belleville, N. J.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on hides, pelts and skins, carloads from Newnan, Ga., to Belleville, N. J.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 191 to Agent Spaninger's I. C. C. 1324.

FSA No. 32430: *Fuller's earth—Georgia and Florida to Western Trunk Line Territory*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on fuller's earth, carloads from Attapulgus, Faceville, Quality, Roddenberry, Ga., Jamieson, Magnet Cove and Quincy, Fla., to specified points in western trunk-line territory.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 39 to Agent Spaninger's I. C. C. 1491.

FSA No. 32431: *Aluminum ingots and pigs to Chicago, Ill.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on aluminum ingots and pigs, carloads from Chalmette, and New Orleans, La., to Chicago, Ill.

Grounds for relief: Barge competition and circuitous routes.

Tariff: Supplement 19 to Agent Spaninger's I. C. C. 1509.

FSA No. 32432: *Magnesite—Carlsbad and Loving, N. Mex., to St. Louis, Mo.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on magnesite, dead burned, carloads from Carlsbad and Loving, N. Mex., to St. Louis, Mo.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 223 to Agent Kratzmeir's I. C. C. 4139.

FSA No. 32433: *Wallboard—Southern to Southwestern Territory*. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on wallboard, carloads, as described in the application from points in southern territory to points in southwestern territory.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 16 to Agent Kratzmeir's I. C. C. 4198.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 56-6139; Filed, July 30, 1956;
8:48 a. m.]